Premise

HOUSING PLUS

Statement of Environmental Effects

IN SUPPORT OF A DEVELOPMENT APPLICATION

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Jay Shah		Daniel Drum		Daniel Drum	

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1. INTRODUCTION

Premise has been commissioned by Housing Plus to prepare a Statement of Environmental Effects (SEE) to accompany a Development Application (DA) for the development of a group home at 10A Park Street, East Maitland (Lot 2 DP1285515).

Housing Plus is a Tier 1 community housing provider which provides affordable housing, homelessness services, domestic and family violence services, post-release services, home modifications, employment pathways and other innovative services. The proposed group home forms part of the Housing Plus "Core and Cluster" domestic and family violence program, providing a safe haven for women and children escaping and recovering from domestic violence.

The site is located in the Maitland City Council (MCC) Local Government Area (LGA). It has a rectangular shape with an area of 1,787m^2 and a single street frontage of 25.73 metres to Park Street to the south. While the site is currently vacant, it has previously been approved for the development of multi dwelling housing comprising seven units under DA/2019/839:1, approved 10 November 2020.

Development for the purposes of a group home is permitted with consent in the R1 General Residential zone which applies to the site pursuant to clause 2.3 of the *Maitland Local Environmental Plan 2011* (the MLEP 2011).

This SEE has been prepared pursuant to the relevant provisions of the *Environmental Planning and Assessment Act 1979* (the EP&A Act) and *Environmental Planning and Assessment Regulation 2021* (the EP&A Regulation) and is provided in the following format:

- **Section 2** of this report provides a description of the subject site and its locality.
- **Section 3** outlines the proposed development.
- **Section 4** details the planning framework applicable to the subject site and proposed development.
- **Section 5** identifies the impacts of the proposed development.
- **Section 6** provides a conclusion to the SEE.

1.1 Background to the Core and Cluster Model

Domestic Violence NSW, the peak body for specialist and family violence services in NSW, reports that 1 in 4 Australian Women (23%) have experienced physical or sexual violence by a current or former intimate partner since the age of 15.

While there are many other statistics which may be cited in relation to the prevalence and nature of domestic violence, the key message is that domestic violence has a serious impact on women's health, which contributes to a range of negative health outcomes, including poor mental health, problems during pregnancy and birth, alcohol and illicit drug use, suicide, injuries, and homicide.

In October 2021, the NSW Government announced funding of $484.3 million to provide long term infrastructure to support women and children escaping domestic violence. Specifically, $426.6 million is designated to support the Core and Cluster Program.

The Core and Cluster model is an accommodation model that seeks to improve the quality of accommodation available for women and children seeking refuge from domestic violence. Traditionally, accommodation has been provided in the form of share house environments which required residents to share all amenities and facilities other than bedrooms. The Core and Cluster model improves on the former share house model by

providing self-contained living quarters for each resident, including private kitchen and bathroom facilities. Notwithstanding, the Core and Cluster model continues to operate as a single household.

Under the Core and Cluster model, self-contained living quarters (the 'Cluster') are located in close proximity to communal facilities (the 'Core'), which provide access to services such as counselling, legal assistance, education and employment support as well shared spaces.

The fundamental principle of the Core and Cluster model is that the residents have direct access to critical support and assistance while also having the personal space and necessary amenities to effectively deal with personal issues and trauma.

It is relevant to acknowledge that the Victorian Royal Commission into Family Violence 2016 (the 'Commission') has driven the implementation of the 'Core and Cluster' model across Australia . Specifically, the Commission has stated the following:

> *The 'core and cluster' refuge model is preferable to the communal model because it provides self-contained facilities for families while maintaining the positive aspects of communal living, such as onsite support from workers and opportunities to spend time with other families who might have had similar experiences. With this configuration, women can have friends and family visit, have their teenage boys live with them, and have room for attendant carers and other supports. A further benefit is that the core and cluster model provides a base for services, such as legal services, to meet with residents, as well as ensuring that the physical environment has space for child and youth-sensitive facilities, with play areas, books, toys and private space for young people.*

Further, the Commission has highlighted that it is particularly concerned that the stress and anxiety some women experience in group living (i.e. a traditional share house) contributes to their decision to return home to an unsafe environment.

1.2 About the Applicant – Housing Plus

Housing Plus is a Tier 1 community housing provider that specialises in homelessness, domestic and family violence services in regional areas of NSW, including Orange, Dubbo, Bathurst and Mudgee.

Housing Plus has a 30-year history of providing client-centred tenancy and property management services in the Central West and Western regions of NSW.

Critically, Housing Plus has been responsible for one of two trials of the 'Core and Cluster' model in NSW, being 'The Orchard' in Orange.

The Orchard is a purpose-built women and children's domestic and family violence centre. It consists of a 'core' building containing meeting rooms, communal facilities, a crèche and overnight accommodation for one member of staff; and a 'cluster' of three duplex buildings, each containing two two-bedroom villas (six units in total). These are fully enclosed and set in landscaped gardens. The development is built to a 7-star rating under the Nationwide House Energy Rating Scheme.

2. THE SITE & ITS LOCALITY

2.1 The Locality

As shown in **Figure 1,** the site is located within an L-shaped street block formed by Newcastle Street to the north-east, George Street to the south-east, Rous and Park Street to the south-west and King Street to the north-west. Newcastle Street forms part of the A43 New England Highway which connects Newcastle to the south-east and Upper Hunter to the north-west.

Development within the locality is predominantly characterised by single and two storey detached dwelling houses with commercial uses such as hotel and motel accommodation, take away food and drink premises and vehicle sales premises along Newcastle Street. Low density residential lots away from Newcastle Street are being increasingly transitioned to higher density residential uses such as dual occupancies and multi dwelling housing. The dual occupancies and multi dwelling housing developments are characterised by a greater site coverage than the lower density than the preceding low density residential use.

Regardless of built form typology, established residential built form is characterised by brick and weatherboard construction and tiled roofs whilst more recent development is characterised by painted or rendered finish and metal roofs.

2.2 The Site

As shown in **Figure 2,** the site has north-east to south-west orientation and rectangular shape. It has an area of approximately 1,787m^2 with a single street frontage of 25.73 metres to the bend in Park Street. Cooks Square Park is located on the opposite, western side of Park Street.

The site has a side boundary of 60.79 metres to the south-east and 70.61 metres to north-west. The former is shared with established 12 Park Street and163 George Street (occupied by established multi dwelling housing developments) and 201 Newcastle Street (occupied by a single storey dwelling house). The latter is shared with 10 Park Street (occupied by an attached dual occupancy), 84 King Street and 197 Newcastle Street (both occupied by detached dwelling houses).

The rear boundary has a length of 24.81 metres and is shared with 199 Newcastle Street, occupied by a single storey dwelling house. The site itself previously formed part of 199 Newcastle Street until it was approved for subdivision and erection of multi dwelling housing under DA/2019/839:1 on 10 November 2020. The approved Torrens title subdivision has subsequently been completed, creating the vacant subject site.

A three-metre-wide stormwater drainage easement runs from the southern corner of the site to the northern portion of the western boundary that is shared with 86 King Street. Other easements applying to the site include one-metre-wide drainage easements along portions of the northern and southern boundaries.

As shown in **Figure 2**, the site benefits from having slope falling from the rear boundary to the street. It is presently vacant with the exception of a shed. The remainder of the site is covered in grass.

3. THE DEVELOPMENT

As detailed in the architectural plans prepared by Housing Plus (**Appendix A**) forming part of this application, the proposed development comprises a "Core" and "Cluster" group home.

The Cluster comprises eight independent living units, with five in the northern portion of the site beyond the Core and a further three attached to the core in the centre of the site.

The Core, located in the central portion of the site, comprises shared facilities for residents including communal lounge, dining and kitchen and outdoor recreation space and administrative spaces at the ground floor and two self-contained apartments at the first floor. The administrative spaces include reception and waiting room and office space, as well as consultation rooms and a multi-purpose room.

As previously noted, the fundamental principle of the Core and Cluster model is that the residents of the Cluster have direct access to critical support and assistance while also having the personal space and necessary amenities to effectively deal with personal issues and trauma.

Vehicular access to the site is provided via a new driveway from Park Street, leading to a car parking area accommodating seven spaces. A pedestrian footpath wrapped around the Core area runs along front, south-eastern, and rear façade of the building. It leads to units cluster and communal outdoor areas located to the rear of the site

Figure 1 – The Site Locality

Figure 2 – The Subject Site

4. STATUTORY PLANNING FRAMEWORK

4.1 Object of the EP&A Act

In New South Wales (NSW), the relevant planning legislation is the *Environmental Planning and Assessment Act 1979* (EP&A Act). The EP&A Act instituted a system of environmental planning and assessment in NSW and is administered by the Department of Planning, Industry & Environment (DPIE). In 2017, the Act was amended to provide a range of updated objects. The objects of the EP&A Act are:

> *(a) To promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
>
> *(b) To facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
>
> *(c) To promote the orderly and economic use and development of land,*
>
> *(d) To promote the delivery and maintenance of affordable housing,*
>
> *(e) To protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
>
> *(f) To promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
>
> *(g) To promote good design and amenity of the built environment,*
>
> *(h) To promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
>
> *(i) To promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
>
> *(j) To provide increased opportunity for community participation in environmental planning and assessment.*

The proposed development is consistent with the above objects, with particular reference to object (c), (d), (h) and (g).

4.2 Section 1.7

Section 1.7 of the EP&A Act provides that the EP&A Act has effect subject to the provisions of Part 7 of the *Biodiversity Conservation Act 2016* (the BC Act) and Part 7A of the (the Fisheries Act).

Part 7 of the BC Act relates to biodiversity assessment and approvals under the EP&A Act. Under Section 7.2 of the BC Act, there are three triggers for development or activities to be considered as "likely to significantly

affect threatened species". Under Section 7.7(2) of the BC Act, the development application is required to be accompanied by a biodiversity development assessment report (BDAR) if it meets one or more of conditions for "likely to significantly affect threatened species".

The proposed development is considered against the three triggers in Table 1 below.

Table 1 – Section 7.2 of the BC Act

For the purposes of this Part, development or an activity is ***likely to significantly affect threatened species*** **if—**		**Comment:**
(a)	it is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in section 7.3, or	The site does not contain any significant trees and is located in a disturbed, urban context. The site was identified as suitable for the removal of grass to enable the development of multi dwelling housing comprising seven dwellings under DA/2019/839:1, approved 10 November 2020. Accordingly, a BDAR is not required.
(b)	the development exceeds the biodiversity offsets scheme threshold if the biodiversity offsets scheme applies to the impacts of the development on biodiversity values, or	Section 7.4 of the BC Act provides that development exceeds the biodiversity offsets scheme threshold if it involves the clearing of native vegetation declared in the *Biodiversity Conservation Regulation 2017* (the BC Regulation). Clause 7.1 of the BC Regulation provides that development exceeds the threshold if is or involves the clearing of native vegetation: (a) Is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in section 7.3 (b) Of an area declared by clause 7.2 of the BC Regulation as exceeding the threshold; or (c) On land included on the Biodiversity Values Map. With respect to the first matter, it is considered that the subject property is likely to be predominately devoid of native vegetation and that clearing is unlikely to significantly affect a threatened species, ecological community or their habitat. With respect to the second matter, Clause 7.2 of the BC Regulation provides clearing thresholds depending on the minimum lot size applying to the land under an environmental planning instrument (or the actual size of the land where no minimum lot size apples). In the case of the site where the minimum lot size is 450m^2 (i.e. less than one hectare), the threshold is 0.25 hectares. The proposed development does not result in the removal of more than 0.25 hectares of native vegetation (site area of 1,787m^2) and is not identified on the Biodiversity Values Map (the second matter). Accordingly, a BDAR is not required.
(c)	it is carried out in a declared area of outstanding biodiversity value.	The site is not located within a declared area of outstanding biodiversity value. Accordingly, a BDAR is not required.

4.3 Subordinate Legislation

The EP&A Act facilitates the preparation of subordinate legislation, consisting of:

- *Environmental Planning Instruments (EPIs) (including State Environmental Planning Policies (SEPP), Local Environmental Plans (LEP), and deemed EPIs; and*
- *Development Control Plans (DCP).*

In relation to the proposed development, the relevant subordinate legislation includes:

- *Maitland Local Environmental Plan 2011*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021; and*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- *State Environmental Planning Policy (Resilience and Hazard) 2021; and*
- *State Environmental Planning Policy (Housing) 2021; and*
- *Maitland Development Control Plan 2011 (Amended on 12 December 2017)*

The requirements of these are discussed in **section 4.5** of this Statement.

4.4 Integrated Development

Section 4.46 of the EP&A Act states that development requiring consent and approval under legislation set out under that section is "integrated development". The proposed development does not require approvals under any of the legislation listed under section 4.46 with the exception of an approval subject to section 138 of the *Roads Act 1993*. Given that Maitland City Council is the consent authority for purpose of section 138 the development is not integrated development.

4.5 Planning Instruments

4.5.1 LOCAL ENVIRONMENTAL PLAN

4.5.1.1 Introduction

The *Maitland Local Environmental Plan 2011* (LEP) is the applicable local planning instrument applying to the land. The aims of the LEP are:

> *(aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,*
>
> *(a) to facilitate ecologically sustainable development of land and natural assets,*
>
> *(b) to protect and maintain the extent, condition, connectivity and resilience of natural ecosystems, native vegetation, wetlands and landscapes, including those aspects of the environment that are matters of national environmental significance within Maitland in the long term,*
>
> *(c) to properly plan and protect human-made resources of Maitland including buildings, structures and sites of recognised significance which are part of the heritage of Maitland,*

(d) to protect, enhance or conserve the natural resources of Maitland including the following—

(i) areas of high scenic rural quality,

(ii) productive agricultural land,

(iii) habitat for listed threatened species and endangered ecological communities,

(iv) minerals of regional significance,

(e) to create liveable communities which are well connected, accessible and sustainable,

(f) to provide a diversity of affordable housing with a range of housing choices throughout Maitland,

(g) to allow for future urban development on land within urban release areas and ensure that development on such land occurs in a co-ordinated and cost-effective manner,

(h) to concentrate intensive urban land uses and trip-generating activities in locations most accessible to transport and centres, strengthening activity centre and precinct hierarchies and employment opportunities,

(i) to ensure that land uses are organised to minimise risks from hazards including flooding, bushfire, subsidence, acid sulfate soils and climate change,

(j) to encourage orderly, feasible and equitable development whilst safeguarding the community's interests, environmentally sensitive areas and residential amenity.

The proposed development is not antipathetic to the aims of the plan and is specifically consistent with the aims (f), (h) and (j).

4.5.1.2 Mapping

A review mapping via the NSW Planning Portal identifies the following applicable mapped constraints:

Table 2 – MLEP 2011 Mapping

Constraint	Applicability	Section addressed
Land Application Map	Applies	N/A
Land Zoning Map	R1 General Residential Zone	**4.5.1.2**
Lot Size Map	G – 450m^2	Subdivision not proposed
Acid Sulfate Soils	Class 5	**4.5.1.5**
Height of Buildings Map	N/A	N/A
Land Reservation Acquisition Map	N/A	N/A
Heritage Map	In vicinity of a Heritage Conservation Area (HCA)	**4.5.1.4**

Constraint	Applicability	Section addressed
Mineral Resource Area	N/A	N/A
Floor Space Ratio Map	N/A	N/A
Urban Release Area Map	N/A	N/A
Watercourse Map	N/A	N/A
Flood Planning Land Map	N/A	N/A
Land Reclassification (Part Lots) Map	N/A	N/A

The above matters, together with other relevant LEP clauses, are discussed in the following sections.

4.5.1.3 Land Use Zoning

As shown in **Figure 3**, the site is located within land to which the R1 General Residential zone applies under clause 2.3 of the MLEP 2011. The proposed land use of group home (transitional) is permitted with consent in the R1 General Residential zone as it will be occupied by persons as a single household and will provide temporary accommodation comprising refuge for women and their children.

The proposed development is consistent with the objectives of the control as demonstrated in **Table 3**.

Table 3 – MLEP 2011 R1 General Residential Zone Objectives

Objective:	Comment:	✓/✗
• To provide for the housing needs of the community.	The proposed development provides for the housing needs of the community by providing eight independent living units and associated facilities to support the victims of domestic violence and their dependents.	✓
• To provide for a variety of housing types and densities.	Each of the independent living units is provided with open plan kitchen, living and dining area which generally overlook the common open space to create opportunities for casual surveillance. Two of eight dwellings are provided with two bedrooms; two dwellings are studio apartments; and the remainder are provided with a single bedroom. One of the single bedroom dwellings is accessible unit.	✓
• To enable other land uses that provide facilities or services to meet the day to day needs of residents.	The proposed development provides for the day to day needs of domestic violence victims and their dependents.	✓

Figure 3 – MLEP 2011 Land Use Zoning Map

4.5.1.4 Heritage Conservation

Clause 5.10 (5c) of the MLEP 2011 provides that the consent authority may require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage item or heritage conservation area for development on a land that is within the vicinity of land on which a heritage item is located or a land that is within heritage conservation area.

While the site is located within close proximity of a Heritage Conservation Area (HCA), it is physically and visually separated by the property to the north at 199 Newcastle Street and change in elevation, respectively. As a result, visual amenity and character of the HCA observed from the Newcastle Street will not be impacted by the proposed development.

Having regard to the due diligence process outlined in *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* it is considered that the site is disturbed land and that the proposed development is unlikely to have a detrimental impact on any Aboriginal object or Aboriginal place of heritage significance.

This is supported by the results of the Aboriginal Heritage Information Management System (AHIMS) search conducted on 29 March 2023 which did not identify any Aboriginal sites or places within 200 metres buffer of the site.

Based on foregoing assessment, the proposed development is unlikely to have any impact on adjacent heritage conservation area. Further consideration against Clause 5.10 is not required.

4.5.1.5 Acid Sulfate Soil

Clause 7.2(2) of the MLEP 2011 provides that development consent is required for the carrying out of works on acid sulfate soils Class 5 if the work is within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the water table is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.

Although, the proposed development is on Class 5 Acid Sulphate Soil, the site does not appear to be located within 500m of Class 1, 2, 3 or 4 land that is below 5m AHD.

4.5.1.6 Earthworks

Clause 7.1(2) of the MLEP 2011 provides that development consent is required for earthworks unless the works are exempt under the TRLEP 2010 or another environmental planning instrument (EPI) or ancillary to development for which consent has been given. If development consent is required, The Council is required to consider the matters in clause 7.2(3).

While the proposed development involves earthworks, they are not exempt under the MLEP 2011 or another EPI or ancillary to development for which consent has been given. Accordingly, the proposed earthworks are considered in the context of the matters for consideration in clause 7.2(3) in **Table 4.**

Table 4 – MLEP 2011 Earthworks Considerations

(a) the likely disruption of, or any detrimental effect on, existing	Based on the design of the proposed development, it is considered unlikely to have any detrimental impact on drainage patterns and soil stability in the locality.	✓

drainage patterns and soil stability in the locality,	In particular, it is noted that the proposed development has been specifically designed and engineered to maintain the integrity of the overland flow path that traverses the frontage of the site. Soil stability can be appropriately managed during construction through the implementation of an appropriate erosion and sediment control plan. It is assumed that a condition of consent would be applied to require the submission of an erosion and sediment control plan prior to works commencing.	
(b) the effect of the proposed development on the likely future use or redevelopment of the land,	Given the nature of the proposed development, the site is unlikely to be used for any other purposes in the short, medium or long term. The proposed earthworks are necessary to enable to the proposed use of the land.	N/A
(c) the quality of the fill or the soil to be excavated, or both,	Any soils that are to be removed from or imported into the site will comply with Council standards. It is assumed that this matter would be addressed as a condition of consent.	✓
(d) the effect of the proposed development on the existing and likely amenity of adjoining properties,	The proposed earthworks are necessary to enable the proposed use of the site. As demonstrated throughout the body of this report, the proposed development will not have a detrimental impact the amenity of the adjoining property that cannot be suitable mitigated.	✓
(e) the source of any fill material and the destination of any excavated material,	It is anticipated that excavated soils will be able to be re-used on-site. Any soils that are to be removed from or imported into the site will comply with the Council standards. It is assumed that this matter would be addressed as a condition of consent.	✓
(f) the likelihood of disturbing relics,	As discussed in **Section 4.5.1.4** the site is disturbed land and it is unlikely that the proposed development would have a detrimental impact on a relic of historical or Aboriginal cultural significance.	
(g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.	The site is not mapped as intersecting with any mapped watercourse, nor it is mapped as being located within a mapped drinking water catchment or environmentally sensitive area.	✓

4.5.2 STATE ENVIRONMENTAL PLANNING POLICY

4.5.2.1 State Environmental Planning Policy (Biodiversity and Conservation) 2021

4.5.2.1.1 Chapter 2 Vegetation in non-rural areas

Under clause 2.3 of State Environmental Planning Policy (Biodiversity and Conservation) 2021 (the Biodiversity SEPP), Chapter 2 of the Biodiversity SEPP applies to non-rural areas of the state which includes all land within the R1 General Residential zone. Under clause 2.6 of the Biodiversity SEPP, a person must not clear:

- Vegetation in a non-rural area of the State to which Part 3 (understood to mean Part 2.3) of the Biodiversity SEPP applies without the authority conferred by a permit granted by Council; or
- Native vegetation in a non-rural area of the State that exceeds the biodiversity offsets scheme threshold without approval by the Native Vegetation Panel under Part 2.4 of the Biodiversity SEPP.

Given that the proposed development does not involve the removal of any vegetation, other than grasses that may have re-established following construction of the subdivision, the Biodiversity SEPP is not addressed in any further detail.

4.5.2.1 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

Clause 6 of the BASIX SEPP provides that the BASIX SEPP applies to proposed BASIX affected development and proposed BASIX optional development. Under the dictionary attached to the EP&A Regulation:

- Is not BASIX excluded development, being development for the purposes of a garage, storeroom, carport, gazebo, verandah or awning, alteration to a building listed on the State Heritage Register, alteration of a building resulting in a space that cannot be fully enclosed or any other BASIX excluded development declared by the Planning Secretary; and
- Involves the erection of (not relocation), change of use to or alteration exceeding $50,000 to a BASIX building (a building containing at least one dwelling, not including hotel or motel accommodation or boarding house, hostel or co-housing accommodation more than 12 residents or with a gross floor area exceeding 300m2) or a swimming pool and/or spa servicing with a combined capacity of 40,000L or more servicing only one dwelling.

As the development subject of this application is not BASIX excluded development and seeks consent for the erection of a BASIX building, the development is BASIX affected development. Accordingly, a BASIX certificate issued no earlier than three months before the day on which the application is lodged is provided as part of the application in accordance with clause 27 of the EP&A Regulation.

4.5.2.2 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 of the Hazards SEPP relates to remediation of land. Under clause 4.6(1) of the Hazards SEPP, the consent authority is precluded from granting development consent unless it has considered whether the land is contaminated and, if contaminated, whether the land is suitable in its contaminated or will be suitable after remediation for the purpose for which the development is proposed to be carried out.

The proposed development site has history of being used for residential development which is not identified as a potentially contaminating land use in the *SEPP 55 – Remediation of Land Planning Guidelines*.

The nearest contaminated site found under EPA contaminated land register is approximately 660m away from the site.

Based on the foregoing, it is considered that the site is unlikely to be contaminated.

4.5.2.3 State Environmental Planning Policy (Housing) 2021

Chapter 3 of State Environmental Planning Policy (Housing) 2021 (the Housing SEPP) relates to diverse housing. Part 2 of Chapter 3 relates to group homes. Clause 61 in Chapter 3, Part 2 provides that development for the purposes of a group home may be carried out without consent if it does not contain more than ten bedrooms within one or more group homes on a site and if it is carried out by or on behalf of a public authority. Alternatively, it must be carried out without consent via either a DA or complying development certificate (CDC) application.

Clause 64 of Chapter 3, Part 2 provides that a group home is complying development if it does not contain more than ten bedrooms within one or more group homes on a site, satisfies the general requirements for complying development in clauses 1.18 and 1.19 (except 1.18(1)(h) and 1.19(1)(b) of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (the Codes SEPP), is not in a draft heritage conservation area and meets the development standards set out in Schedule 2 of the Housing SEPP.

Part 2 of Chapter 3 in the State Environmental Planning Policy (Housing) 2021 (SEPP Housing) relates to the development of group homes. Section 62 identifies, that a consent authority must not refuse consent to development for the purpose of a group home unless the consent authority has made an assessment of the community need for the group home or impose a condition on a consent granted for a group home only because the development is permissible.

Whilst the proposed development is carried out on behalf of a not-for-profit organisation, it is not carried out on behalf of a public authority. The site also does not meet the general requirements for complying development under clauses 1.18 and 1.19 of the Codes SEPP. Accordingly, a DA is required.

The council may be satisfied that there is a clear community need for the group home the subject of this application as it will provide accommodation and associated services to survivors of domestic violence, an increasingly important issue locally, regionally and nationally (refer to **Section 1.1**)

4.5.3 DEVELOPMENT CONTROL PLANS

4.5.3.1 Maitland Development Control Plan 2011

The Maitland Development Control Plan 2011 (DCP) applies to the site. **Table 5** provides a summary of relevant matters raised via the DCP together with an assessment of project specific compliance.

As outlined at **Table 5**, the development is generally compliant with all relevant provisions of the Development Control Plan. Notwithstanding, it is acknowledged that there are a number of minor inconsistencies, including:

- The overall height and setback of the north-western corner of the Core building;
- The extent and dimensions of open space;
- The use of 1.8m fencing and security gate across the frontage of the site; and
- Car parking forward of the building line.

In general, it is considered that the inconsistencies with the DCP are minor and generally occur due to the topography of the site (i.e. overall height and setback of the north-western corner of car parking located forward of the building line), while other inconsistencies stem from the DCP being geared toward typical residential development and not providing flexibility for uncommon forms of development such a group homes.

With specific regard to the forgoing issues, the following is noted:

- The overall height and reduced side setback of the north west corner of the Core building is required due to the topography of the site and the need to retain a consistent floor level through the Core.

  Given the location of the north west corner of the Core and its relationship to the residential properties located to the north, including mature vegetation, it is unlikely that the reduced setback will have a detrimental off-site impact in terms of views, privacy and solar access.

- The proposed development has been designed to incorporate individual areas of Private Open Space and a generous area of communal open space.

  Given that the group home is intended to function as a household, albeit with independent living quarters, it is considered that both communal open space and private open space interact to provide an adequate area and functionality which will suit all residents.

- The proposed fencing and security gate is required to create a secure and safe environment for residents.

  While it is acknowledged that high fencing across the frontage of residential properties is generally discouraged, it should be acknowledged that the objectives and provisions of the DCP are geared towards typical residential development and does not provide suitable flexibility for other forms of development which are also permissible in a residential zone.

- The proposed carpark will be located forward of the building line.

  This is generally a response to the topography of the site and the constraints associated with the drainage line that traverses the Park Street frontage.

  Notwithstanding, given the irregular shape and location of the lot, the provision of carparking forward of the front building line is unlikely to have a detrimental impact given that the site is 'tucked away' from Park Street and that carparking will generally be screened by landscaping and the perimeter treatment.

5. IMPACTS, SITE SUITABILITY & THE PUBLIC INTEREST

Pursuant to Schedule 1 of the EP&A Regulation, this section of the report outlines the environmental impacts of the proposed development and any measures required to protect the environment or lessen the harm to the environment.

The impacts have been identified through an assessment of the proposed development against the provisions of section 4.15(1)(b) and the former N*SW Department of Urban Affairs and Planning's (nd) Guide to Section 79C*.

This section also addresses the consideration at Section 4.15(c) and Section 4.15(e) of the Act that relate to the suitability of the site for the development and the public interest.

5.1 Context and Setting

With the exception of Cook Square Park to the immediate east, the immediate area is characterised by residential lots occupied by single and occasional two storey detached dwelling houses (some with secondary dwellings), dual occupancies and multi dwelling housing. Regardless of land use, residential development is characterised by brick or weatherboard construction with pitched roofs of tiled or metal finish.

The proposed development is consistent with its context and setting, comprising one single storey detached dwelling, two single story attached dwellings, two single story attached studio dwellings that forms the Cluster and three apartment dwellings as a part of the Core building, along with other administrative and multi-purpose spaces. The dimensions of the buildings are generally consistent with that of existing residential development in the locality, as is their materiality. External walls in all buildings are to be constructed of brick whilst roofs are to be pitched with metal finish.

In response to the prevailing character, the proposed development has been designed to concentrate built form in the central portion of the site away from the principal street frontage where it will have minimal visibility from Park Street. The visual impact will be further mitigated by proposed vegetation in the front portion of the site as indicated in the site plan in **Appendix A**.

The proposed development is unlikely to result in any privacy impacts to neighbouring properties due to proposed and existing vegetation acting as screening in proposed development lot and adjoining properties' setback area. It also unlikely to result in any overshadowing impacts with the upper floor apartments being offset from the building mass of adjoining properties. It also will not result in any view impacts.

5.2 Access, Transport and Traffic

5.2.1 CONSTRUCTION PHASE

The proposed development will result in traffic during the construction phase associated with:

- *Construction staff coming to and from the site in light vehicles;*
- *Construction vehicles and equipment being delivered to and from the site in heavy vehicles;*
- *Construction materials being delivered to the site in heavy vehicles; and*
- *Excess soils, vegetation and other waste being taken away from the site (refer to **Section 5.6**) in heavy vehicles.*

It is anticipated the majority of this traffic would be coming from other areas of East Maitland turning right into Park Street from King Street which meets the Newcastle Street/New England Highway. There will be minimal impacts on the operation of the Newcastle Street due to approximately 110 metres buffer of King Street.

5.2.2 OPERATIONAL PHASE

Once operational, vehicular access to the site is going to be from the proposed access from Park Street,. The access has good sightlines along both King and Rous Street, both of which experience low levels of traffic due to only being fronted by low density residential development. Park Street, King Street, and Rous Street have 50 km/h speed limit imposed.

The vehicular access leads directly to the proposed at-grade parking, accommodating parking for 7 vehicles.

Vehicles accessing the proposed at-grade parking will generate additional traffic along Park Street and connecting streets. The impacts of the additional traffic is expected to be acceptable as:

- *In the Housing Plus experience in operating other domestic and family violence accommodation elsewhere in NSW, a significant proportion of residents will arrive at the site by taxi or will be dropped by a trusted family member or friend;*
- *Once prospective residents accepted to reside in the facility, it is anticipated that they will undertake far fewer trips to and from the site than residents of a typical dwelling house as a high proportion of services are delivered to the site or performed by staff (e.g. bulk grocery deliveries);*

- *Vehicle movements are expected to be limited to light vehicles and occasional vans and small trucks, resulting in traffic impacts and noise and vibration impacts similar to that of a typical multi-dwelling housing to the surrounding road network and residential dwellings; and*
- *The site benefits a high level of accessibility via public transport, being 700 metres' walk from bus stops on Lawes Street providing access via Route 181 to Victoria Street Railway Station.*

Further, it is noted that an SUV type vehicle will provided on-site to transport residents as required, including undertaking activities such as shopping.

5.3 Servicing

Vehicular access to the proposed development is to be provided via the proposed driveway from the site's Park Street frontage, upgraded to comply with the council's current standards.

Each independent living quarter is to be provided with a dedicated water tank in accordance with BASIX requirements to enable on-site reuse of captured stormwater. Any increased runoff as a consequence of the proposed development that isn't reused or detained on-site is to drain by gravity directly to adjoining watercourses in accordance with the stormwater management plan (Tricend 2022). This ensures that there will not be any increase in demand on the council's stormwater infrastructure as a consequence of the proposed development.

The proposed development will be connected to existing electricity, telecommunications, potable water and sewer infrastructure within the site and surrounding area. It is anticipated that these networks can be augmented to accommodate any additional demand generated by the development.

5.4 Heritage

The site is not identified as being or adjoining items of heritage significance or within a Heritage Conservation Area (HCA) under the MLEP 2011. However, the site is in the vicinity of a HCA.

Notwithstanding, the proposed development site and the conservation area are separated by another property – 199 Newcastle Street. Further, the subject site is at lower elevation than the property fronting Newcastle Street. Although some portion of the development is going to be extended to be two storey, the lower elevation level of the subject site obstructs the view of proposed development from the Newcastle Street as shown in the Site Elevation drawing attached in **Appendix A**. As a result, visual amenity and character of the heritage conservation area observed from the Newcastle Street will not be detrimentally impacted by the proposed development.

Having regard to the due diligence process outlined in *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* it is considered that the site is disturbed land and that the proposed development is unlikely to have a detrimental impact on any Aboriginal object or Aboriginal place of heritage significance.

This is supported by the results of the Aboriginal Heritage Information Management System (AHIMS) search conducted on 29 March 2023 which did not identify any Aboriginal sites or places within 200 metres buffer of the site.

5.5 Air and Microclimate

The proposed development will result in negligible air and microclimate impacts during construction. However, these are expected to be short-lived and manageable through construction in accordance with a construction management plan, to be provided following DA approval.

Once operational, the proposed development is unlikely to result in any air and microclimate impacts.

5.6 Waste

The proposed development will result in minimal waste impacts during construction due to the site being mostly vacant at present except for a shed structure and due to the site being devoid of any significant vegetation. Any excavated material will be reused on-site to the maximum extent possible. Any surplus excavated material and cleared vegetation will be deposited at an approved waste facility in accordance with the council requirements.

Once operational, the proposed development will generate low levels of household and office type waste that will be stored in an enclosed area adjoining the at-grade parking. The location of the enclosed bin storage enables ease of access by the council standard waste vehicles or contracted waste vehicles.

5.7 Stormwater

The site has moderate fall towards the Park Street which is legal point of discharge. Once operational, storm water will be detained and piped to the legal point of discharge adjacent to the Park Street, in accordance with the detailed engineering plans. The site has generous pervious area allowing the water to be absorbed into the soils where reasonably possible.

5.8 Noise & Vibration

The proposed development will result in noise and vibration impacts during the construction phase associated with construction activities and construction vehicles and equipment being delivered to and from the site, construction staff coming to and from the site, construction materials being delivered to the site, excess soils, vegetation and other waste being taken away from the site (refer to Section **5.6**). However, these are expected to be short-lived and manageable through construction in accordance with a construction management plan, to be provided following DA approval.

Once operational, the proposed development is unlikely to result in any vibration impacts and noise impacts are expected to be consistent with eight typical dwelling houses. Any noise impacts from the proposed group home are expected to be not more than that of surrounding residential properties.

An operational Plan of Management (POM) may be prepared and implemented prior to occupation of the proposed group home. The POM would include measures to ensure that proposed group home is operated in a manner which minimises potential off-site impacts.

5.9 Safety, Security and Crime Prevention

The guidelines prepared by the NSW Department of Urban Affairs and Planning (DUAP 2001) identify four (4) Crime Prevention Through Environmental Design (CPTED) principles to be considered in a Development Application to ensure developments do not create or exacerbate crime risk. The four key principles of the guidelines include surveillance, access control, territorial reinforcement, and space management.

The proposed development creates opportunities for technological surveillance of the surrounding area through the use of closed-circuit television (CCTV) monitoring access points, the boundaries of the site and internal areas. It creates opportunities for casual surveillance from the independent living units and the Core building. Windows from the Core building enable views to the entry into the site, the at-grade carpark, the central communal area and entries to individual dwellings that comprise the Cluster. Similarly, windows

associated with living rooms in the independent living units that comprise the Cluster enable casual surveillance of the central communal area, as well as entries to other dwellings.

The proposed development ensures access control through the provision of 1.8-metre-high fencing around the facility. This is combined with gates and doors throughout to ensure that persons are unable to access various zones in the facility without first being granted access by staff.

The proposed development creates territorial reinforcement through the provision of 1.8-metre-high fences around the facility, clearly delineating the site boundary from the public domain and neighbouring properties.

The proposed development will ensure space management through the employment of groundskeepers that will maintain the facility in a tidy condition.

5.10 Social Impact

As defined by the NSW Government Office on Social Policy, social impacts are significant events experienced by people as changes in one or more of the following are experienced:

- peoples' way of life (how they live, work or play and interact with one another on a day-to-day basis);
- their culture (shared beliefs, customs and values); or
- their community (its cohesion, stability, character, services and facilities).

Family, domestic and sexual violence is a major and, unfortunately, rapidly growing health and welfare issue in Australia. Domestic Violence NSW, the peak body for specialist and family violence services in NSW, reports that 1 in 4 Australian Women (23%) have experienced physical or sexual violence by a current or former intimate partner since the age of 15 .

Those suffering from domestic and family violence require acute and long-term assistance. As the epidemic of domestic and family violence grows, established facilities are facing increased pressure, especially in regional areas.

The proposed development will have a positive social impact, going some way towards meeting demand for emergency accommodation and professional services for victims. This includes legal, health and employment assistance, as well as other professional services. The significant public benefit provided by the development will far exceed any potential minimal impacts associated with the development as discussed in the preceding sections of this report.

5.11 Economic Impact

Housing Plus is a not-for-profit organisation providing crisis accommodation for victims of domestic and family violence.

The proposed development will have a positive economic impact during the construction phase, creating opportunities for a local construction contractor, equipment hire services and materials suppliers. At the operational phase, employment opportunities would include reception staff, social workers, groundskeepers, and security personnel. The proposed development will also create opportunities for local professionals such as legal, health and employment assistance professionals.

There is known evidence to suggest that development of accommodations for victims of domestic and family violence having a negative effect on property values of adjoining or nearby properties, especially where the accommodation is provided in a high quality facility delivered by a Tier-1 community housing provider.

5.12 Site Design and Internal Design

The proposed development has been designed with reference to the publicly available *Design Guide: Specialist Domestic Violence Accommodation*, prepared by Housing Plus and Custance Architects. The guideline establishes the following design standards for domestic and family violence accommodation (2022, pp. 38, 39):

- *Safety: Good design supports a safety centred approach where clients, staff, and stakeholders feel safe. The physical building design will promote and ensure a safe and secure environment. Safety includes physical safety, as well as mental and emotional safety*
- *Privacy & Dignity: Good design provides private spaces, as well as space for families to interact and be together without creating a sense of isolation. The built form provides good aesthetics both internal and external, that promotes a sense of self-worth and wellbeing.*
- *Operational: Good Design considers and integrates all operational requirements relevant to each provider. Building maintenance policy and strategies, facilities management and performance management will need to be considered. It should be easy to maintain, robust and liveable. The design should ensure maximum end value and future alternative use options.*
- *Trauma Focused Design: Good design means creating calm spaces that promote relaxation, health and recovery through light, texture, colour, space and the careful consideration of sensory factors relating to design. Spaces are welcoming, predictable and clients can have control of their environment.*
- *Flexibility & Adaptability: Good design means the accommodation can meet the needs of many different family structures and levels of independence. The building form is adaptable to meet different family sizes or accessibility needs.*
- *Children Inclusive: Good design is designed for children from newborns to teenagers. Children need to live, play and recover from trauma in a safe and secure environment. They need robust design and furnishings and a place of their own.*
- *Culturally Appropriate Design: Good design considers what people value as culture needs to enable them to feel immediately 'at home' and should consider the cultural, religious and familial demographic of the location.*
- *Fit for Purpose: Good design should consider the built form, urban context and streetscape, and through sympathetic material selection and well considered passive design integration, meet the clients' expectations and objectives and comply with the relevant codes for construction.*

5.13 Construction Impacts

Construction impacts would be short-lived and manageable. The following standard construction management measures would be implemented to ensure impacts to the locality are minimised:

- Standard construction hours (7 am to 6 pm Monday to Friday and 8 am to 1 pm Saturday and at no times on Public holidays) would be implemented;
- Avoiding dust generating activities during windy and dry conditions; and

- Maintaining all equipment in good working condition such that the construction contractor and site manager ensure the prevention of the release of smoke by construction equipment, which would be in contravention of Section 124 of the Protection of the Environment Operations Act 1997 and Clause 16 of the Protection of the Environment Operations (Clean Air) Regulation 2010.

5.14 Cumulative Impacts

It is not anticipated that the development would result in any cumulative impacts including:

- individual impacts so close in time that the effects of one are not dissipated before the next (time crowded effects);
- individual impacts so close in space that the effects overlap (space crowded effects);
- repetitive, often minor impacts eroding environmental conditions (nibbling effects); or
- different types of disturbances interacting to produce an effect which is greater or different than the sum of the separate effects (synergistic effects).

There are no known major projects being undertaken in proximity to the site that would result in cumulative impacts during either the construction or operation phase of the proposed development.

6. CONCLUSION

6.1 Suitability of the site

In summary, the site is considered to be suitable for the proposed development for the reasons set out in the body of the report. In summary, these reasons include:

- The proposed development is consistent with the meaning of a group home (transitional) and is permissible in the R1 General Residential zone;
- The proposed development is consistent with the objectives of the R1 General Residential zone;
- The immediate locality is characterised by single and two storey detached dwelling houses, including multi dwelling development;
- The site is understood to have existing connections to essential services capable of being augmented to accommodate any increase in demand generated by the proposed development (refer to **Section 5.3**);
- The site is unlikely to be contaminated, making it suitable for occupancy by residents;
- The site unlikely to contain Aboriginal sites or places due to results of AHIMS search conducted on 29 March 2023 (refer to **Section 5.4**);
- The proposed development is unlikely to have a detrimental off-site impact that cannot be suitable mitigated;
- The site is not flood affected, albeit affected by a drainage line, and it has moderate slope towards the Park Street (legal point of discharge), making it easier to drain the stormwater by gravity.
- The site is mostly devoid of vegetation.
- The site is not bushfire affected.

6.2 The Public Interest

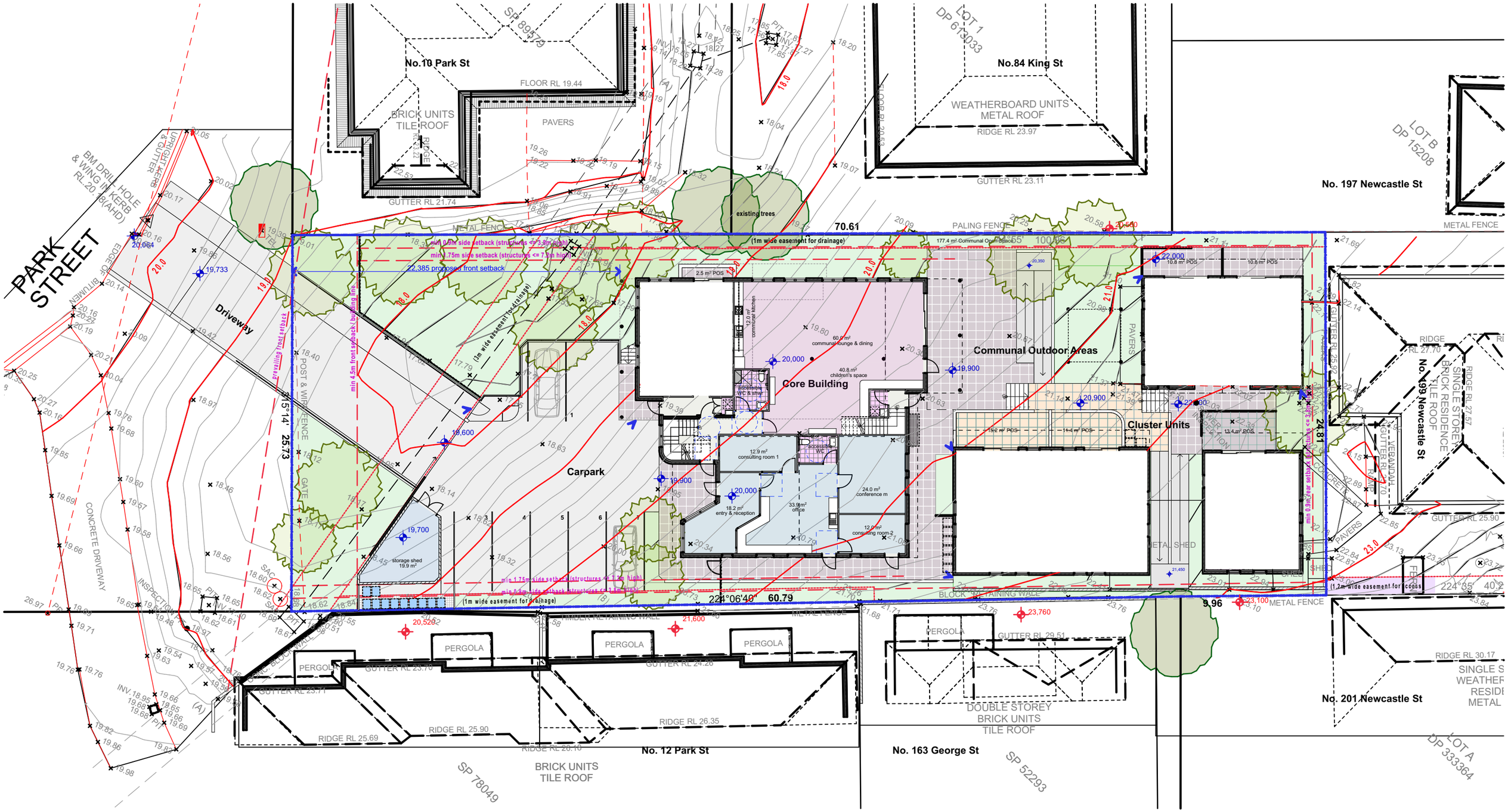
The proposed development is considered to be in the public interest for the following reasons:

- It is permitted with consent and is consistent with the objectives of Zone R1 General Residential in which the proposed development is to occur, as well as being generally compliant and consistent with other relevant development standards and provisions under the MLEP 2011;
- The development is generally compliant with other applicable development controls under the MDCP 2011. Non-compliances with the DCP are considered to be acceptable on merit in the circumstances of the unique features of the site and/or the proposed development;
- The proposed development will have minimal environmental, social and economic impacts. On balance, it is anticipated that the proposed development will have a positive impact to the benefit of the wider community; and
- The site is suitable to the proposed development.

For the reasons set out above, the proposed development is supported subject to the council's standard conditions of consent.

APPENDIX A

PROJECT DRAWINGS



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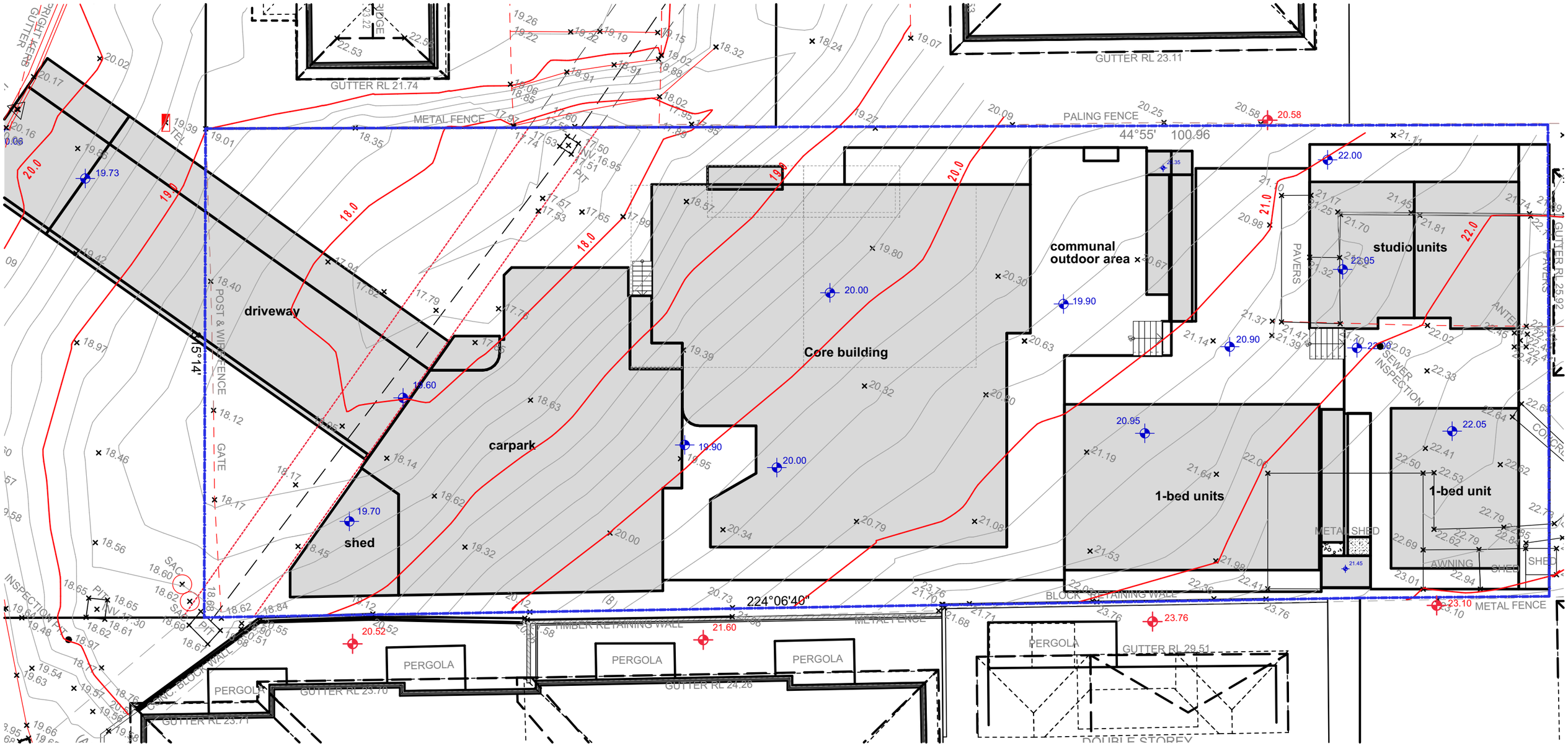

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client details:

earthworks plan
drawing title

issue	date	amendment description	by
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Proposed Ground Floor Layout
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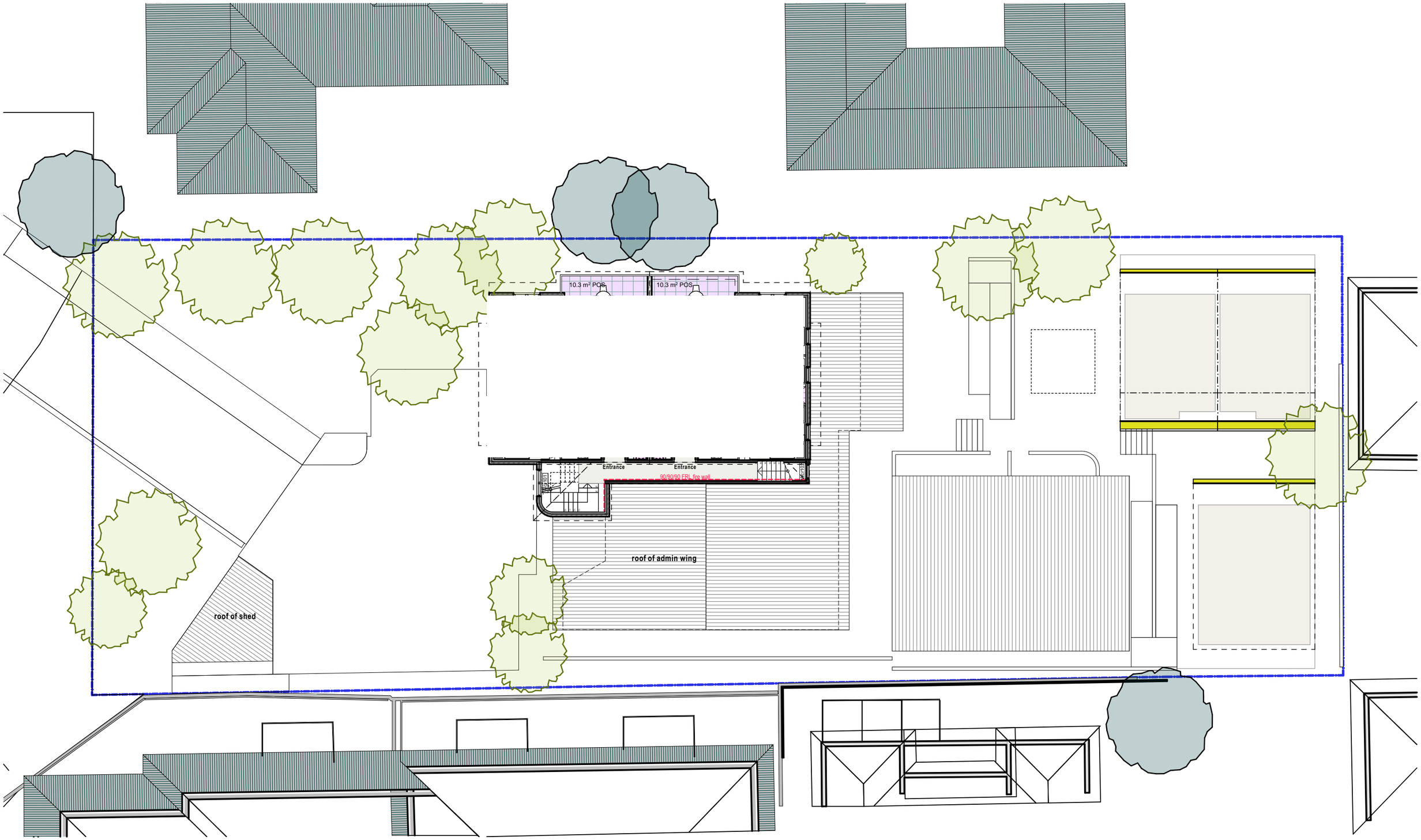

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Proposed Upper Floor Layout
drawing title

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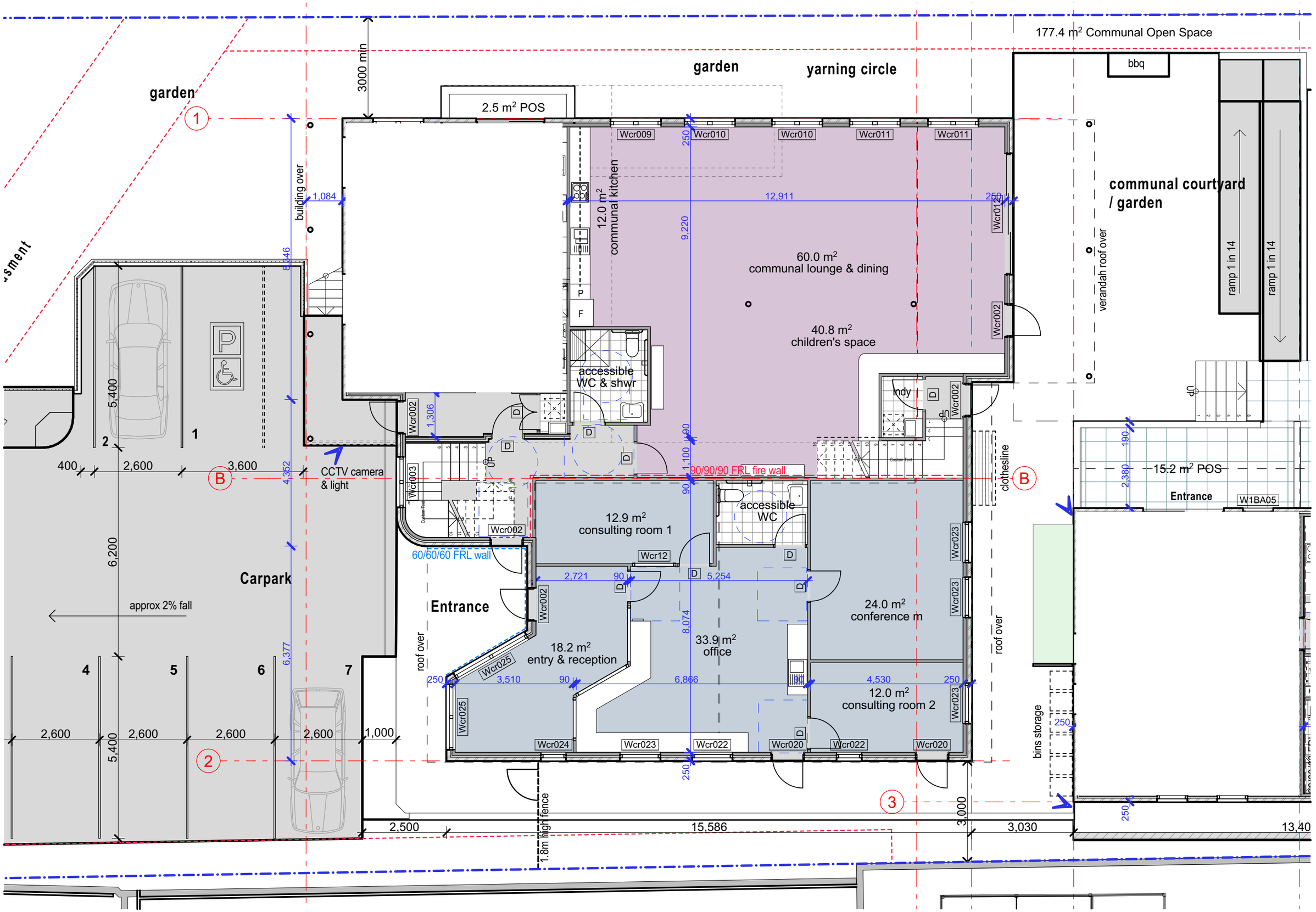

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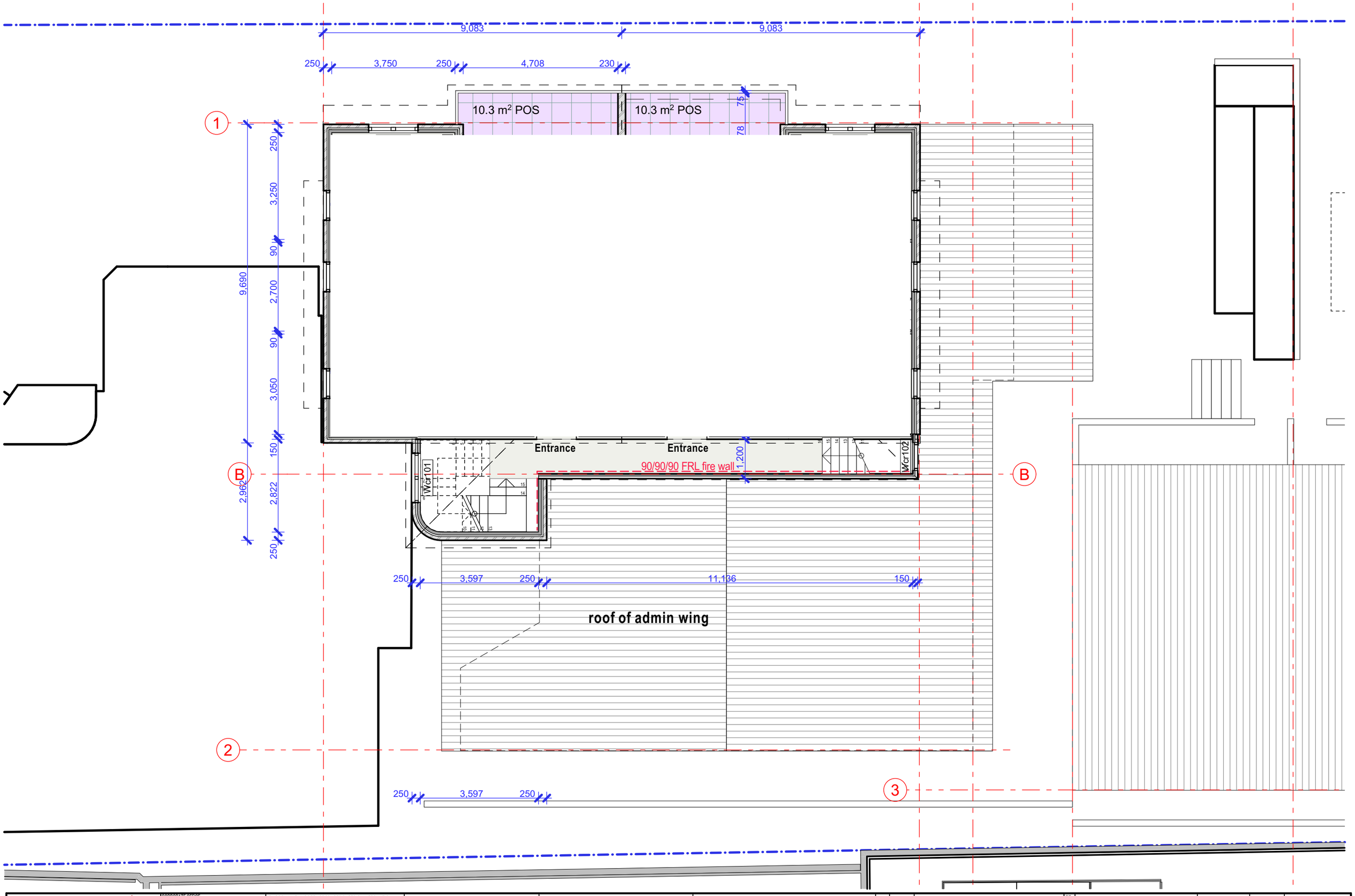

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177.4 m² Communal Open Space

arning circle

bbq

garden

communal courtyard / garden

verandah roof over

ramp 1 in 14

ramp 1 in 14

covered play area

10.8 m² POS

10.8 m² POS

10,998

3000

7,720

970

250

5,520

1,610

90

250

Wcr011

Wcr011

Wcr012

Wcr002

0 m²
ounge & dining

40.8 m²
lren's space

ndy

D

Wcr002

UP

UP

clothesline

B

Wcr023

Wcr023

Wcr023

24.0 m²
conference m

4,530

250

12.0 m²
consulting room 2

Wcr022

Wcr020

roof over

bins storage

250

3,000

3,030

15.2 m² POS

11.4 m² POS

2,380

190

Entrance

W1BA05

W1BA05

Entrance

bins

13,409

250

1500

3,648

ramp 1 in 14

ramp 1 in 14

Entrance

Entrance

250

3,084

90

1,940

135

3,810

3,594

3,594

5

13.4 m² POS

4,193

Entrance

W1BA05

250

90

750

90

2,470

8,422

6,834

250

6,834

1,500 min

1,610

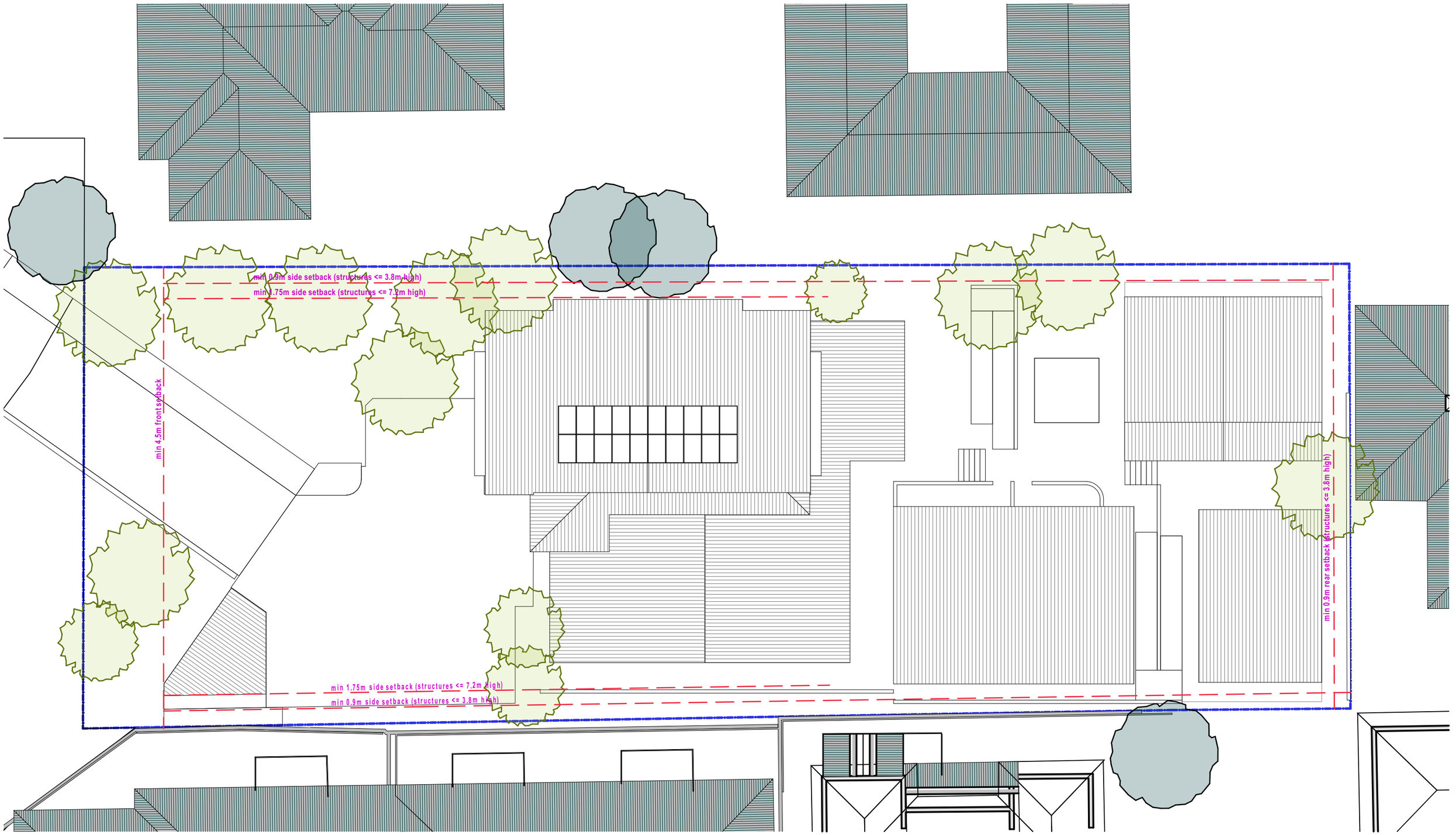
1,470

70

2,653

3

3



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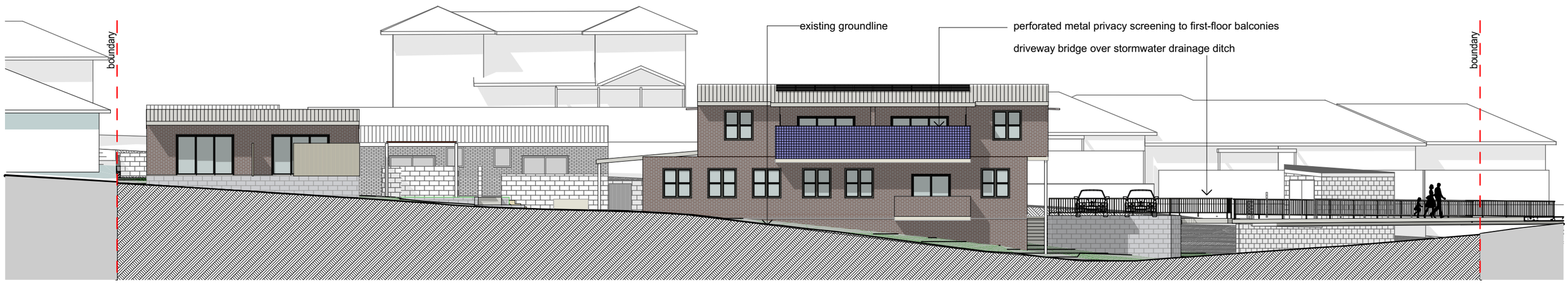
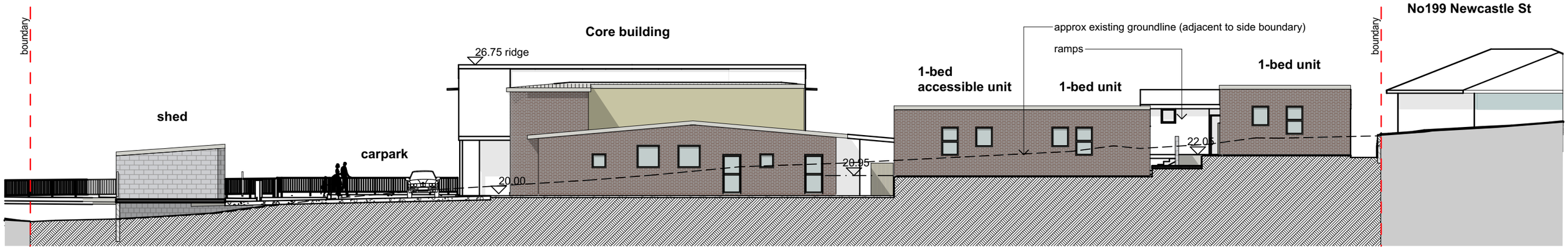


North-west Elevation



South-east Elevation

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Site Elevations
drawing title

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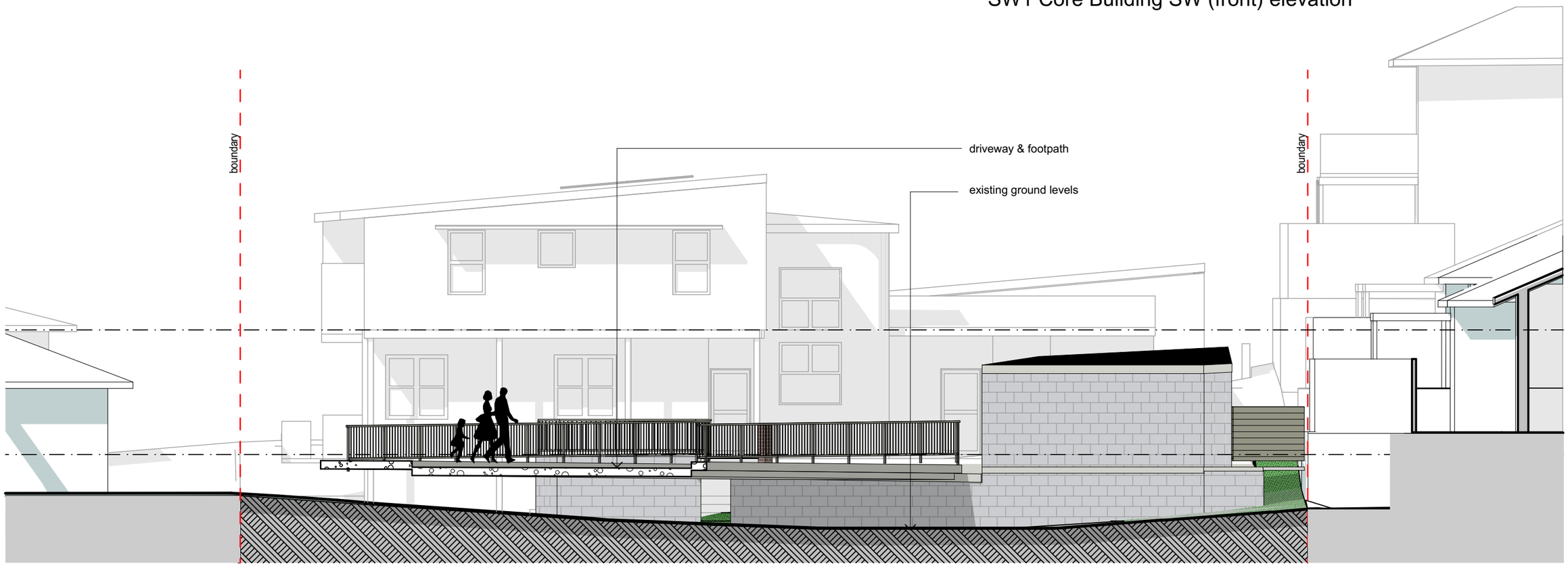
drawing No.

SW1 Core Building SW (front) elevation



South-west site SW (front) elevation

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client details:

Elevations 2
drawing title

issue	date	amendment description	##	by

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plan issue type

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Core - north-east elevation

accessible unit - north-east elevation

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client details:

Elevations 3
drawing title

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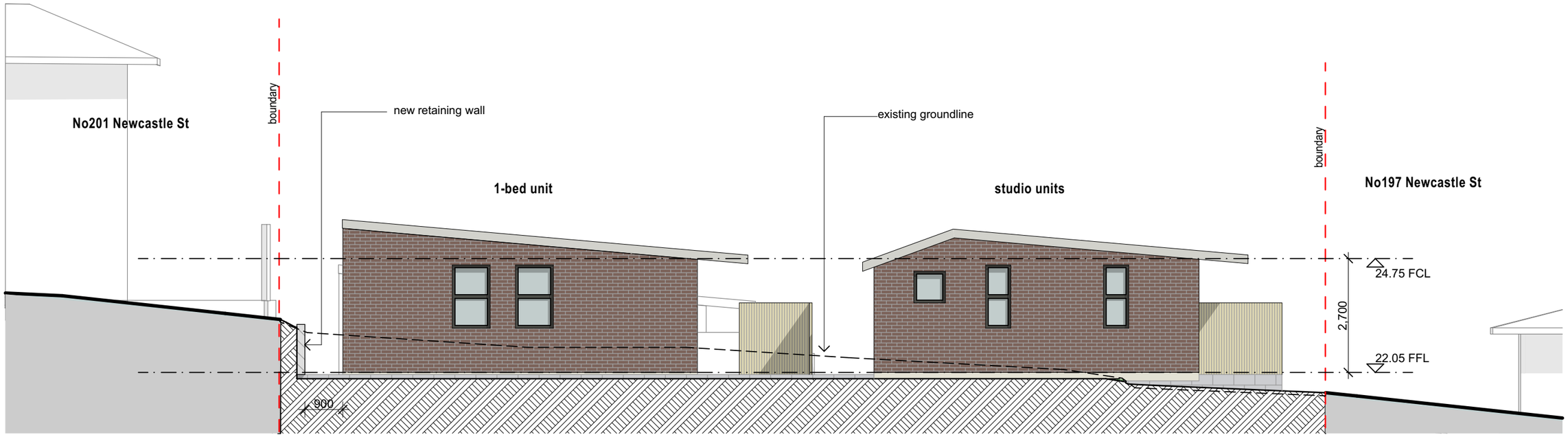
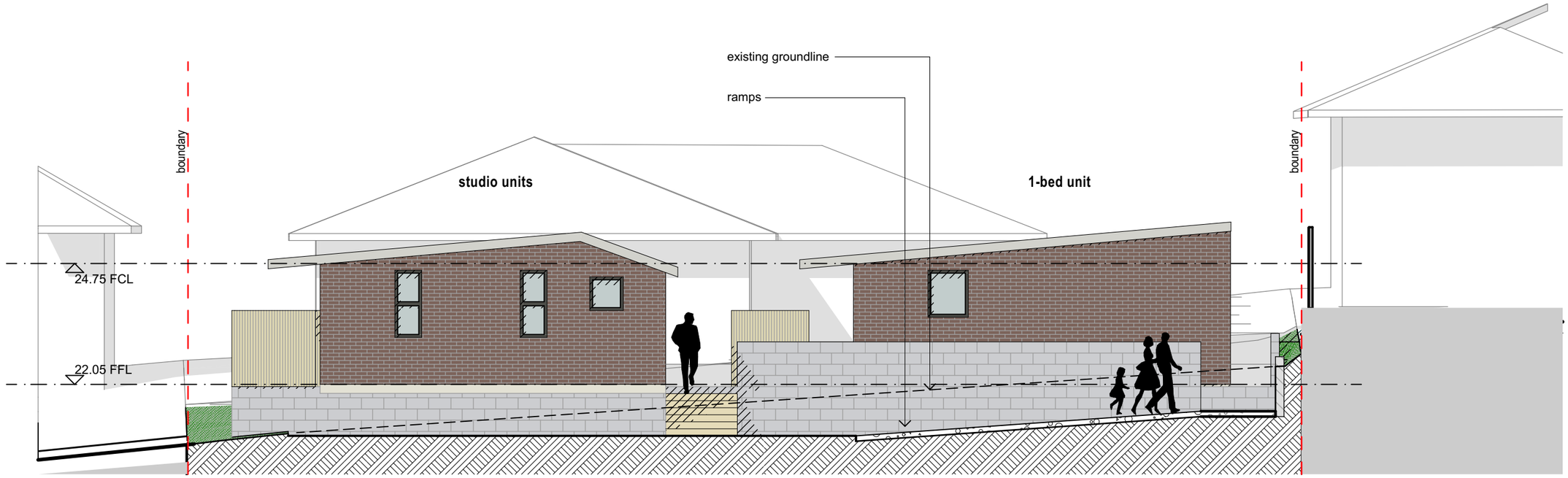


North-east Elevation



South-west elevation of studio & 1-bed units

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e: design@housingplus.com.au
w: www.housingplus.com.au
ABN: 83 147 459 461

Project:
Proposed Core & Cluster Refuge at 10A Park St East Maitland NSW 2323
client details:

Elevations 4
drawing title

issue	date	amendment description	## / by

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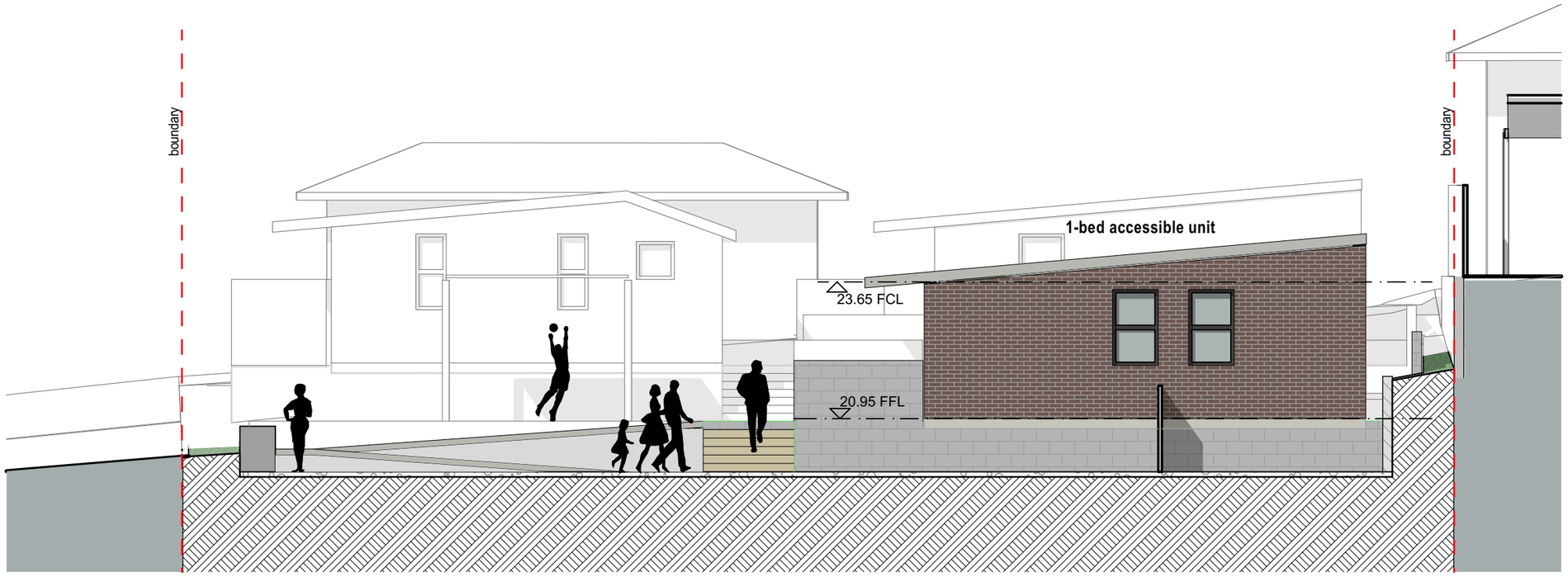


accessible unit SW elevation

BASIX commitments

The core building will require the following insulation / construction:
- Double glazed low E windows and glass doors throughout
- R2.5 to all external walls
- Kingspan K3 (25mm) underslab insulation

To achieve a 7.0 star minimum thermal rating for all units I have had to use the following insulation / construction:
- medium colour roof and R1.3 anticon blanket
- R4.0 ceiling insulation
- R2.5 and vapour permeable sarking to external walls
- R2.5 to internal walls shared with wet areas
- R2.0 to underside of 1st floor units
- 225mm waffle pod slab for ground floor units
- Double glazed low E windows and glass doors throughout
- Sealed downlights with continuous insulation coverage
- Sealed exhaust fans to bathrooms, ducted rangehood

To pass BASIX water and energy sections I have used the following:
- (1st floor units) 3,000L common rainwater tank (connected to toilets, washing machine)
- (5 ground floor units) 2,000L rainwater tank on each unit (connected to toilets, washing machine and yard tap)
- 5kW solar PV (located on the roof of main building)
- Gas instantaneous HWS on each unit
- Gas cooktop / electric oven
- Ducted AC

external finishes


natural anodised aluminium window

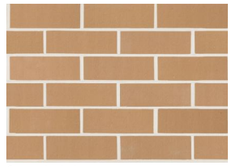

Colorbond Trimdek_roof

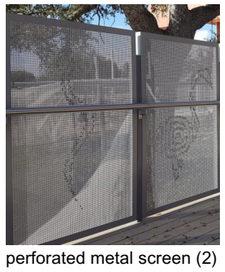
colorbond-surfmist


aluminium balustrade


perforated metal screen


colorbond-dune


face brick


perforated metal screen (2)


block retaining walls


HardieDeck

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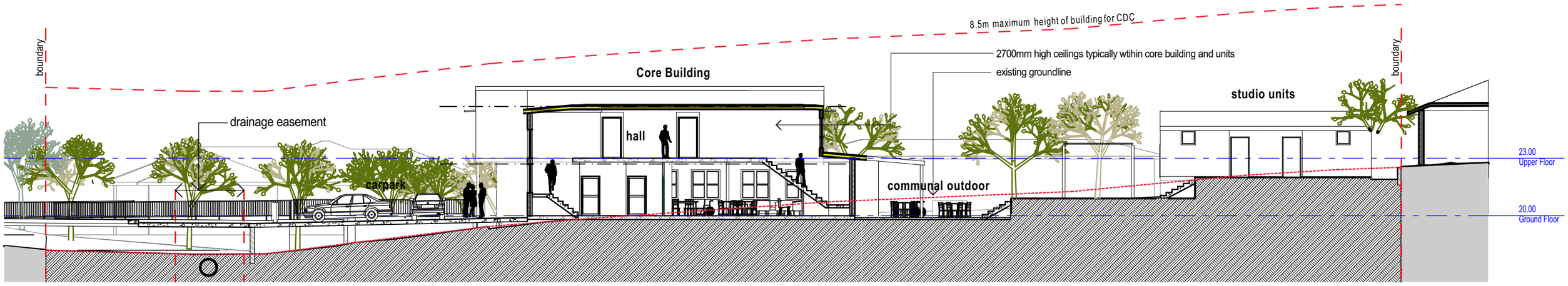
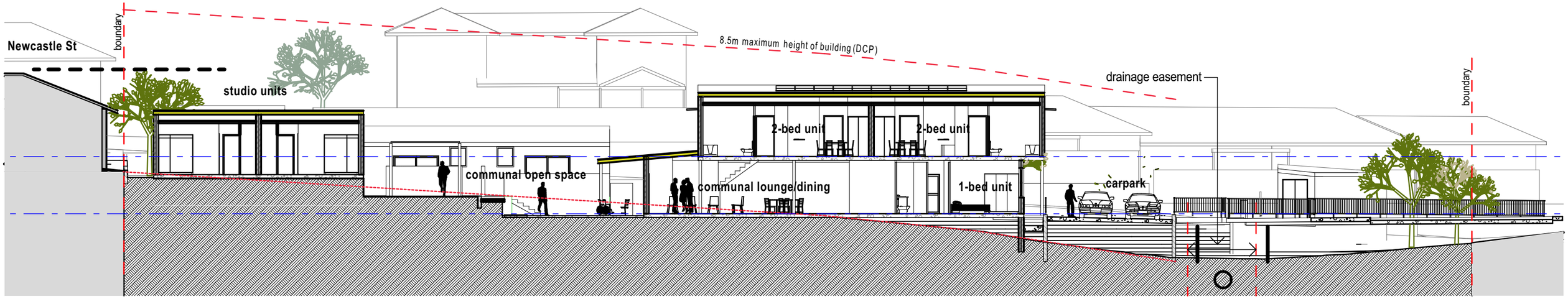


Section



LONG SITE SECTION

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e: design@housingplus.com.au
w: www.housingplus.com.au
ABN: 83 147 459 461

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client details:

site sections
drawing title

issue	date	amendment description	##	by

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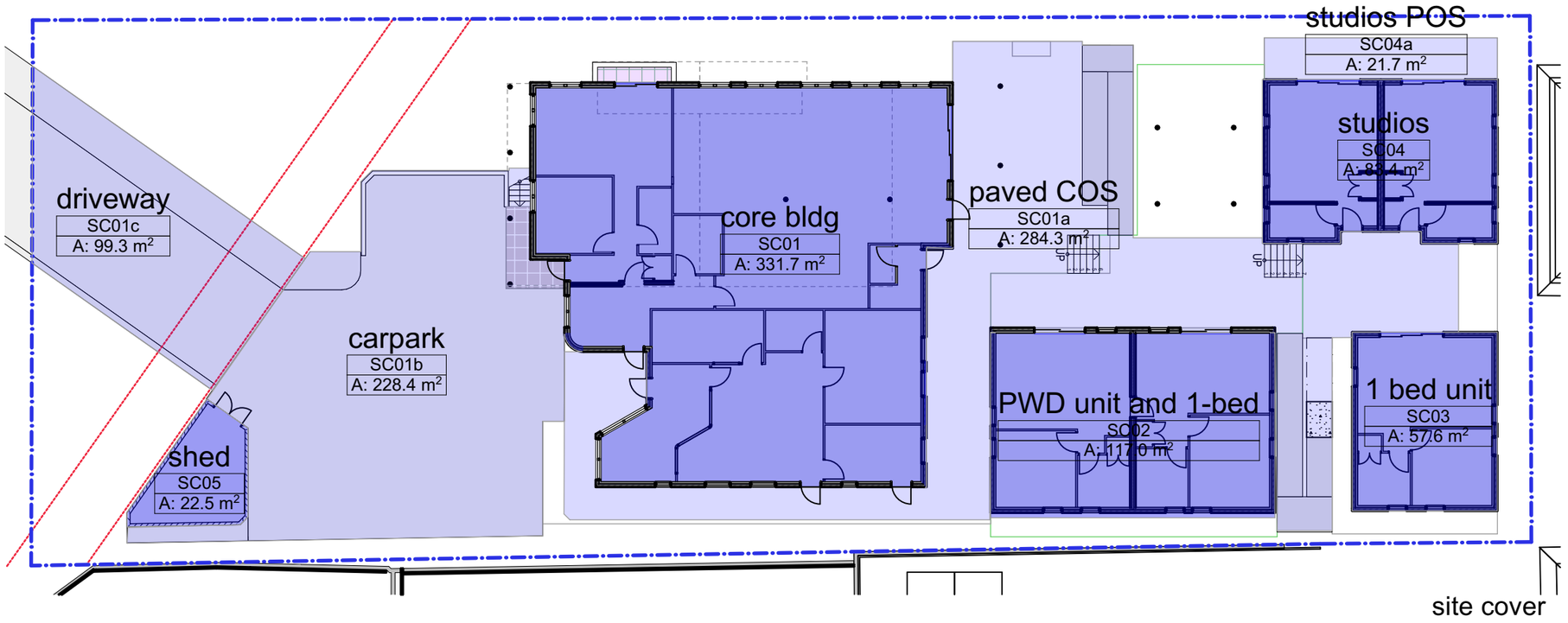

02 site coverage		
Zone Number	Zone Name	Calculated Area
SC01	core bldg	331.71
SC01a	paved COS	284.33
SC01b	carpark	228.44
SC01c	driveway	99.35
SC02	PWD unit and 1-bed	116.95
SC03	1 bed unit	57.56
SC04	studios	83.42
SC04a	studios POS	22.22
SC05	shed	22.54
		1,246.52 m²

SITE AREA = 1784m²

SITE CALCULATIONS for compliance to Maitland DCP Part C:

MAX SITE COVERAGE = 70% x 1784m² = 1248.8m2 **PROPOSED SITE COVERAGE = 1246.5m2 = 69.7% of site area**

MIN UNBUILT AREA = 30% x 1784m² = 524.4m2 **PROPOSED UNBUILT AREA = (100 - 69.7)% = 30.3% of site area**

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e: design@housingplus.com.au
w: www.housingplus.com.au
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Project:
Proposed Core & Cluster Refuge at 10A Park St East Maitland NSW 2323
client details:

site calculations
drawing title

issue	date	amendment description	by
		##	

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dwg scale @ A3

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APPENDIX B

DCP COMPLIANCE TABLE

Table 5 – Development Control Plan Matters and Assessment

General requirements	Assessment	Compliance
4. Bulk Earthworks and Retaining walls		
1. A 'bulk earthworks plan (BEP)' shall be submitted with the development application for all forms of residential development showing the levels (relative to a datum benchmark at the site) of all finished ground levels for both the building platform and those areas of the site external to the building platform. The plan should also specify and show the extent and depth of cut/fill, and location of all retaining walls and/or battered slopes. The BEP shall also show existing ground levels adjoining the perimeter boundaries of the land (refer to Figure 4 for sample BEP). 2. Where a retaining wall (for the purposes of retaining fill) is proposed either on or in close proximity to a boundary then the maximum extent of fill shall be 600mm (refer to Figures below). 3. Where a retaining wall (for the purposes of retaining cut) is proposed either on or in close proximity to a boundary then the maximum extent of cut shall be 900mm (refer to Figures below). 4. Elevated flooring (eg bearers and joist construction), deepened concrete edge beams, infill slabs, split level construction and the like shall be used where necessary to reduce the extent of earthworks required to achieve the maximum cut fill levels prescribed under the plan 5. Adequate drainage comprising free draining gravel and subsoil agricultural drains shall be installed to the rear of retaining walls to relieve the hydrostatic pressure at the base of the wall.	1. A 'bulk earthworks plan (BEP)' according to the DCP requirements is provided as a part of architectural drawings attached in Appendix A. 2. Earthworks and retaining walls have been designed with regard to the relevant requirements. No retaining walls have been designed to be located on or in very close proximity to a boundary. 3. As per Point 2, above. 4. The applicants Architect has identified that a structural system will be selected to minimise cut and fill. 5. Detailed stormwater drainage design is illustrated in the engineering design plans accompanying the Development Application. 6. As per Point 5, above. 7. Any necessary cut and fill batters will be designed at Construction Certificate stage. 8. Noted. 9. Noted. 10. Noted.	✓

General requirements	Assessment	Compliance
6. Stormwater or surface water runoff shall not be redirected or concentrated onto adjoining properties so as to cause a nuisance. Adequate drainage is to be provided to divert water away from batters. This requirement shall be an integral part of the site stormwater management plan addressed in Section 18 of this Chapter. 7. Cut and fill batters should not exceed a slope of 3:1 (horizontal to vertical ratio) to the natural ground level unless the foundation strata, type of material or compaction permits otherwise and Council is satisfied as to the stability of the site. All batters must be provided with both short term and long term stabilisation to prevent soil erosion. 8. Excavations in excess of those specified for retaining walls may be permitted within the confines of the building to allow for basements, garages etc providing the excavations are adequately retained and drained in accordance with engineering details. 9. All excavations shall be protected in accordance with the requirements of the NSW WorkCover Authority. 10. Where a property is burdened by stormwater easements containing pipes care should be taken to avoid pipe damage. In cutting situations, it may be necessary to lower existing pipes within the easement. In filling, pits may require extending to the new surface level.		
5. Street Building Setback		
1. The minimum setback from the principal street frontage to the building line in an urban residential zone is 4.5 metres. 2. The minimum setback from the principal street frontage to articulation or entry features (ie. portico) in an urban residential zone is 3.0 metres and must not be more than 25%	1. The minimum setback from the principal street frontage to the building line is 22.4 metres. 2. As per Point 1, above. 3. As per point 1, above.	✓

General requirements	Assessment	Compliance
of the width of the front facade of the building and must not be more than the maximum height of the building. Note that articulation elements do not constitute the 'building line'. 3. Where an allotment is located on a corner in an urban residential zone, and a single dwelling is proposed, the minimum building line setback to the secondary street frontage is 3.0 metres. 4. Where an allotment is located on a corner in an urban residential zone, and attached dwellings, semi-detached dwellings or dual occupancies are proposed, the minimum setback to the secondary street frontage is 3.0 metres. 5. Where the shape of the allotment located within an urban residential zone is irregular due to the geometry of the street boundary, the setback from the front property boundary to the building line shall be a minimum of 3.0 metres but averaging 4.5 metres over the length of the building addressing those street boundaries. 6. Garages, carports, sheds and outbuildings are to be setback a minimum of 6 metres from a boundary adjoining a road or a minimum 1 metre behind the building line to the principal street frontage. 7. Older residential areas or heritage conservation areas may comprise buildings with setbacks greater than or less than 4.5 metres. Where infill development is proposed in these areas the building line for the new development shall have regard to the setbacks of existing buildings adjacent to the site. Designers should consult part E.2: heritage conservation areas to determine setbacks in heritage conservation areas 8. Building line setbacks for other zones are detailed in table below:	4. The development site is not corner allotment. 5. As per Point 1, above. 6. The proposed development incorporates a modest storage shed storage with a setback of 4.5m from street frontage. While the setback is less than the DCP requirement, its is considered to be acceptable on the basis that the shed is modest in scale and will generally be setback behind the front building line of the dwelling located on each adjacent lot. 7. The front building line of adjacent buildings is less than 4.5m. Notwithstanding, this does not influence the proposed development. 8. The proposed development site is located in R1 General Residential Zone.	

General requirements			Assessment	Compliance
Zone	**Principal frontage (m)**	**Side Street for corner lots (m)**		
RU1 & RU2	20	15		
R5 (<=5000m^2)	10	6		
R5 (>5000m^2)	20	10		
C4	20	10		
6. Side and Rear Setbacks				
1. Minimum side and rear setbacks for residential buildings, including detached outbuildings such as garages, sheds or carports, in urban zones shall be in accordance with Figure 10 and described as follows: • a. 0.9m for walls up to 3.0m in height (to underside of eaves); • b. 0.9m plus 0.3m for every metre of wall height over 3.0m and less than 7.2m; • c. For that part of a wall over 7.2m in height, the minimum setback should be increased by 1.0m for every metre of height over 7.2m. 2. Walls of buildings within urban zones may be built to the side and/or rear boundaries only where: • The maximum wall height is 3.0m and there will be no significant impact on privacy, use of private open space and solar access to adjoining properties; • There are no openings unless such openings comply with the fire resistance requirements of the Building Code of Australia and are filled with translucent or obscured glazing; and			1. The proposed development has been designed with regard to the relevant requirements with the minimum side setback to the north-western boundary being 3.0 metres, 1.5 metres to the south-eastern boundary and1.5 to.6 metres from the rear boundary. 2. Not applicable.	

<table>
<tr><th colspan="3">General requirements</th><th>Assessment</th><th>Compliance</th></tr>
<tr><td colspan="3">• The length of the wall built to the boundary does not exceed 50 per cent of the total length of the wall comprising that elevation (refer Figure 11 in the DCP).
Required side and rear setbacks for rural zones are detailed in Table below.</td><td rowspan="5"></td><td></td></tr>
<tr><td>Zone</td><td>Side boundary</td><td>Rear boundary</td><td rowspan="4"></td></tr>
<tr><td>RU1 & RU2</td><td>10</td><td>10</td></tr>
<tr><td>R5 (<=5000m^2)</td><td>4</td><td>4</td></tr>
<tr><td>R5 (>5000m^2)</td><td>6</td><td>6</td></tr>
<tr><td>C4</td><td>6</td><td>6</td></tr>
<tr><td colspan="5">7. Site Coverage and Unbuilt Areas</td></tr>
<tr><td colspan="3">1. Site coverage shall satisfy the requirements detailed in Table 3 - Site Coverage and Unbuilt Areas. All development application plans for residential development shall provide a detailed ‘percentage site coverage’ calculation having regard to the requirements of Table below
2. Development shall have site coverage appropriate for the site’s capability and form of development and site coverage shall be consistent with the desired future density for the locality.</td><td rowspan="5">1. The proposed site coverage is 69.7% of the total site area with an unbuilt area of 30.3%, which meets the minimum requirement set out for multi dwelling housing.
2. The site coverage of the proposed development appears to be consistent with the desired future density for the locality as it meets the minimum requirement set out in the DCP for the multi dwelling housing typology.</td><td rowspan="5"></td></tr>
<tr><td>Housing type</td><td>Maximum site coverage ground floor (%)</td><td>Minimum unbuilt area (%)</td></tr>
<tr><td>Dwelling house</td><td>60</td><td>40</td></tr>
<tr><td>Small lot housing</td><td>60</td><td>40</td></tr>
<tr><td>Dual occupancy</td><td>60</td><td>40</td></tr>
</table>

General requirements			Assessment	Compliance
Multi dwelling housing	70	30		
Residential flat building	70	30		
8. Building height, bulk and scale				
1. Maximum building height shall be in accordance with Table 4. 2. Development application plans shall provide the following information to clearly communicate building heights: • A scaled and dimensioned site plan to show pre-development spot levels and/or contours of the site. This plan shall also show post- development spot levels of the site at the building corners and perimeter and shall also include finished levels for private open space, communal open space (where provided), driveways and pedestrian pathways and landscaped areas. • Floor plans showing finished floor levels for ground floor internal living space, garages, and finished levels for upper floors and roof; • Building elevations and sections to scale which are fully dimensioned and provide an accurate representation of height having regard to the levels identified on the site plan. Elevations and sections should show floor-to-ceiling heights as well as maximum height of roof element.			1. The proposed maximum building height is less than 8.5 metres as indicated in 'site sections' drawing attached in Appendix A 2. Development application plans meeting the outlined requirements are attached in Appendix A	✓
Housing type	Zone	Max height (m)		
Dwelling	Any zone	8.5		
Dual occupancy	R1 General res. Business zones	8.5 11		

General requirements			Assessment	Compliance
Semi-detached housing	R1 General res. Business zones	8.5 11		
Multi dwelling housing	R1 General res. Business zones	8.5 11		
Residential flat building	R1 General res. Business zones	11 14		
9. External appearance				
1. The building design and the Statement of Environmental Effects that accompanies the proposal should demonstrate that the following matters have been addressed: a. Consideration of the existing character, scale and massing of development in the immediate area, including the surrounding landscape. b. Architectural interest encouraged by: – the use of finishes which are textured rather than bland; – providing stepping of walls, pergolas, eaves, verandah and blade walls etc. to establish articulation and create light and shadow to a building – the coordinated use of diverse materials and appropriate decorative treatments c. Consideration of both typical and rare fenestration (door and window patterns) and the relationship between glazed and solid wall areas. d. Consideration of traditional relationship of roof mass to wall ratio, roof pitch and design, length of unbroken ridgelines, parapets, eaves and roof water guttering detailing.			1. a. The proposed development respects the context in terms of scale and massing as it is similar in character to other one and two storey developments in the immediate area. b. Architectural interest is encouraged by: Use of elements such as external face brick finish, aluminium balustrade and natural anodised aluminium windows to incorporate diverse material and decorative treatment. Further, the proposed development incorporates a sense of articulation light and shadow through the use of multiple buildings within the site and stepping of walls and other buildings elements. c. As indicated in site elevations in Appendix A , there is appropriate ratio between glazed and solid wall areas. Additionally, perforated metal screens add to the façade treatment. d. Roof mass to wall ratio is complementary to the surrounding development and other elements such as eaves and roof guttering are used in a traditional way to maintain consisting with the prevailing built form character. e. The development is architecturally designed to incorporate diverse visual experience to the inhabitants and passers through the use of elements such as texture and colour, intermittent building masses and	✓

General requirements	Assessment	Compliance
e. The design shall provide a variety of experiences for the residents and passers by thorough attention to silhouette, pattern, texture and colour. The amount and length of unbroken roof ridgelines, unpunctuated facades, fencing and repetitive form should be minimised. f. Design diversity should be achieved within and between developments by maximising the advantages of orientation, landforms, views and natural vegetation. g. Where a dwelling has an elevation to a principal street frontage then the design shall ensure that the building has its primary pedestrian entry point addressed to this street. This entry shall be reinforced by landscaping and, where appropriate, fencing to provide a clear entry statement. h. The following features of existing areas should be considered and integrated into new development where possible – Traditional street and lane patterns – Street setbacks – Groupings of buildings – Corner feature sites – Pedestrian walkways – Promenades, squares and courtyards – Characteristic kerb and gutter treatment – Pavement design, materials and finishes i. Corner sites shall be developed such that the building(s) addresses both streets and has a well expressed side elevation that does not dominate the streetscape. j. Repetitive building designs should be avoided particularly in new residential subdivisions where there may be a	roof ridge lines, sporadic façade characterization with help of perforated metal screens, metal balustrade and glazed surfaces, and resultant play of mass, light and shadow. f. The design considers landform by adopting stepped design and practices optimised orientation by providing POS and major openings in northern aspect. g. The primary pedestrian entry point is via Park Street, which is the principal street frontage. The front elevation of the proposed development addresses Park Street. Fencing and landscape has been provided to achieve a clear entry statement. h. The development is designed to sit comfortably in the immediate context by incorporating various elements which are consistent with the prevailing character of the area. i. The subject site is not corner lot. j. The street elevation is complementary to the surrounding development without being repetitive. k. Refer to **Section 5.4** 2. A garage is not proposed.	

General requirements	Assessment	Compliance
number of sites being developed simultaneously. Repetitive street elevations generally do not achieve variety and interest in the streetscape – designs should ensure that key elements such as materials, colour schemes, fencing and driveway treatments, landscaping, window configurations and roof forms are distinct and give individuality to each development. k. That the relevant provisions in this DCP are taken into account where residential development is proposed within a Heritage Conservation Area or on a site of identified heritage significance under the Maitland Local Environmental Plan 2011. <u>Garaging</u> The following matters shall be taken into consideration when designing a development to minimise the dominance of garaging particularly on the public streetscape and communal areas internal to the development site: 2. Car parking structures such as garages and carports shall be designed as an integral part of the development and must be compatible with the overall building design in terms of height, roof form, detail, materials and colours. 3. Garages and carports, as a forward element in the design of a dwelling, are discouraged particularly where the dwelling and its associated garage has a direct address and access to a street. Forward projecting garages and carports may be considered where it can be demonstrated that the design of the garage makes a positive contribution to both the street and the architectural quality of the building 4. The following treatments should be employed to reduce visual impact of garages and carports to a road frontage:		

General requirements	Assessment	Compliance
a. Garages should be no greater in width than 50 per cent of the total width of the dwelling's frontage (eg. total width of dwelling's frontage is 15 metres therefore maximum width of garage doors to be no greater than 7.5 metres); b. Where possible, garages of attached or detached dwellings which have a direct address to the street should not be located side by side; c. Where the garages of adjoining units are located side-by-side they should have staggered setbacks of at least 1.0 metre (refer Figure 18); d. The placement of wide eaves, awnings, pergolas or first floor projecting balconies/rooms over the garages to create shadow lines and provide greater articulation to the building (refer Figure 18); e. The use of materials of contrasting colour and/or texture for the walls and doors of each garage to create visual interest and a sense of separate identity for each dwelling unit – note that dark colours will make a garage visually recessive; f. The use of an irregular driveway alignment; g. Minimising the width and area of driveways to reduce the volume and rate of stormwater run-off and to increase the area available for landscaping; h. The selection of paving materials with contrasting colour and/or texture; i. The use of carports in lieu of garages as these more transparent structures can effectively reduce the bulk and mass associated with multiple garages.		
10. Open space		

General requirements	Assessment	Compliance
1. Ground Level POS: a. All ground level private open space must comprise a 'principal area' of minimum dimensions in accordance with Figure 20. b. The minimum area of private open space for a ground level dwelling shall be in accordance with Figure 20. c. The 'principal area' of POS shall form a direct extension to the internal living room or dining area of the dwelling (refer Figure 19). d. d. To be included in usable open space calculations, open space at ground level must have a minimum width in one direction of 3.0 metres. e. The maximum cross-fall over the 'principal area' shall not exceed 2%. f. Areas of ground level private open space required for external drying facilities, garbage storage, roof water tanks etc shall not be included in the principal area of private open space. These ancillary uses shall be located where they are able to be screened from view of the street or other public place. g. The landscape plan for the development shall incorporate a detailed landscape design for each area of ground level POS. h. Ground level POS shall only be located forward of the building line (but no closer than 900mm to the principal street boundary) where the orientation of the POS is within the 'optimum' range illustrated by Figure 20. i. Where ground level POS is provided forward of the building line then privacy fencing shall be provided as detailed in Section 14.	1. a -i. The proposed development has been designed to incorporate individual areas of Private Open Space and a generous area of communal open space. Given that the group home is intended to function as a household, albeit with independent living quarters, it is considered that both communal open space and private open space interact to provide an adequate area and functionality which will suit all residents. 2. . a – d. The above ground requires for open space are generally me 3. Not applicable. 4. Not applicable.	

General requirements	Assessment	Compliance
2. Above Ground Level POS: a. All above ground level private open space areas (eg balconies or terraces) shall contain a minimum area of 10 square metres and comprise a minimum dimension of 2.5 metres. b. The 'principal area' of POS shall form a direct extension to the internal living room or dining area of the dwelling unit. c. The orientation of above ground level POS and internal living rooms shall be within the 'optimum' and 'good' ranges illustrated by Figure 20. d. d. communal external drying area shall be provided for all dwellings that do not have ground level POS. This communal drying area shall be located so as to receive adequate natural sunlight and breezes and shall be screened from view from public areas and communal open space areas. Drying space shall be provided at a rate of 15 lineal metres of clothes line per dwelling serviced. 3. Ground level communal open space (COS) shall be provided within: a. a multi dwelling housing development with fifteen (15) or more dwellings (eg. townhouses, villas etc). b. a residential flat building with twelve (12) or more dwellings (eg. unit, apartment, flat etc). 4. Ground level COS shall: a. Contain an area sufficient to meet the relaxation and recreation needs of the residents of the development and shall at minimum include barbeque facilities and shelter, tables, seating, children's play equipment, childproof fencing and associated landscaping.		

General requirements	Assessment	Compliance
b. be centrally located to provide casual surveillance opportunities from surrounding units within the development. c. c. be an integral part of the design for the development and must be provided clear, safe pedestrian access to minimise conflict with vehicle manoeuvring areas. d. d. be provided with lighting sufficient to enable night time surveillance as a means of reducing vandalism and promoting the safety of residents. Care shall be taken in the selection of lighting and its location to minimise light intrusion to units within the development itself and also to adjoining properties. e. e. take into consideration its interface with adjoining dwellings (eg. windows, rooms etc). f. f. contain facilities (eg: seating, play equipment etc) designed to meet the relevant Australian Standards.		
11. Sites having a boundary to a Laneway		
1. Where a site has a secondary frontage to a laneway: a. The dwelling(s) shall not be orientated to the laneway as a principal street address. b. The main pedestrian entry point to the dwelling(s) shall form a direct connection with the principal street address and not the laneway. c. Pedestrian access to dwellings located to the rear of the site shall be contained within a corridor not less than 2.4m wide. d. The pedestrian access from the principal street frontage to the dwelling(s) located to the rear of the site shall be	1. The site does not have a secondary frontage to a laneway.	✓

General requirements	Assessment	Compliance
landscaped and provided with adequate lighting in accordance with 'Safer by Design' principles. e. Car parking for a maximum of two vehicles only (consistent with the garaging provided for the existing allotment) shall be provided with access to the laneway. f. No internal habitable floorspace shall be located closer than 3.0m to the property boundary with the laneway. g. Garages/carports shall be located no closer than 2.0 metres to the property boundary with the laneway. h. Where a garage is located closer than 5.5m to the property boundary with the laneway the garage doors shall be fitted with automatic opening devices to allow continuous movement from the laneway to the garage without obstructing the lane. i. Where car parking is provided with access to a laneway care shall be taken to ensure that adequate manoeuvring area is available. Note that the narrow width of some laneways will mean that garages will need to be 'indented' from the laneway boundary and/or wider than standard garage doors installed to provide for adequate manoeuvring.		
12. Accessibility and Adaptable Housing:		

1. The number of adaptable dwellings to be provided in a residential development shall be as detailed in Table 5. 2. All adaptable dwellings are required to meet the essential design criterion as listed in AS 4299 which includes the following: a. Provision of plans showing the dwelling in its pre-adaptation and post-adaptation stages; b. A continuous path of travel; c. Provision of accessible parking spaces; d. Maneuverability both internally and externally; e. Adjustable kitchen facilities; f. Adjustable bathroom facilities; and g. Adjustable laundry facilities. 3. Where possible the internal structure of a dwelling should be designed with lightweight non-load bearing walls that allow for the reconfiguration of rooms over time. Adaptable Housing Ratios for Residential Developments: TOTAL NO. OF DWELLINGS - Between 10 and 15 NUMBER OF ADAPTABLE DWELLINGS TO BE PROVIDED – 1 4. Where an adaptable dwelling is required in accordance with the provisions of this Plan, one (1) accessible car parking space shall be provided for every adaptable dwelling. This is in addition to any accessible parking required by Section 15 of this chapter. 5. Dwelling design should be capable of being easily adapted to suit the widest possible range of lifetime needs. This includes	1. Not applicable. The proposed development does not include more than 9 dwellings.	✓

the needs of people with physical disabilities, people with sensory disabilities and people with intellectual disabilities. 6. Dwellings designed for use by persons with a disability should be located at ground level unless special provision such as a lift is provided to upper floors. 7. Car parking shall be linked to the adaptable dwelling(s) by an unobstructed path of travel at a suitable gradient for wheelchair access. These car parking spaces shall be located as close as possible to the adaptable dwellings they are intended to serve. 8. Entries, doors and passageways shall be of sufficient width to allow for wheelchair access. 9. Fixtures and fittings complying with AS 1428 Part 2. 10. Where adaptable dwellings are required, accessible and continuous paths of travel in accordance with AS 1428 shall be provided from the street to circulation areas and thoroughfares within the building and site and to communal facilities/open space areas and shall be clear of obstacles so as not to impede the mobility of residents and visitors. 11. Where a dwelling is intended for persons with a disability consideration should be given to a design suitable for in-house care or share accommodation, which offers privacy for non-related parties living within the same household. 12. Consideration should be given to the installation of broadband capabilities for all adaptable dwellings. 13. The following issues shall be considered when designing for adaptable housing: 14. Compliance with AS 1428.1 (2001) Design for Access and Mobility – General Requirement for Access (New Building Work) and AS 1428.2 (1992) Design for Access and Mobility –		

Enhanced and Additional Requirements (Buildings and Facilities). 15. Access to and within the adaptable dwelling shall comply with the requirements of the relevant provisions of the Australian Standards. This includes access to common facilities in the development eg: BBQ areas, swimming pools, common laundry facilities etc.		

General requirements	Assessment	Compliance
13. Landscape Design		
1. With the exception of a single dwelling, all residential development shall be supported by a detailed landscape plan (inclusive of planting scheme) prepared and endorsed by a suitably qualified landscape consultant (eg landscape architect or horticulturalist) as meeting the objectives and design requirements of this chapter. 2. The landscape design should, as appropriate: a. Retain existing vegetation for integration with the landscape design for the development; b. Employ the use of native vegetation suitable for local conditions which require lower maintenance and demand less water; c. Incorporate the use of advanced specimens to ensure that the completed built form is immediately and effectively softened by landscaping. d. Define a theme for new internal streets/driveways or complement existing streetscapes external to a site; e. Be of an appropriate scale relative to the width of driveways and the associated space between buildings and the building bulk – trees should be introduced which achieve a height above the roofline of the dwelling to soften built form; f. Take into account view corridors and introduce species that, where possible, preserve opportunities for views when the plants are mature; g. Improve privacy and minimise overlooking between dwellings and also overlooking from public spaces such as footpaths and communal open space;	1. A detailed landscape plan is included with the Project Drawings (**Appendix A**). The landscape plan has been prepared with regard to Points 2 – 5.	✓

General requirements	Assessment	Compliance
h. Provide adequate lighting for vehicular and pedestrian safety; i. Account for streetscapes and landscapes of heritage significance; j. Be tolerant of site conditions and adequately mulched in order to reduce demand for water, herbicides and fertilisers; k. Clearly identify where turfed areas are to be located and specify the materials used for forming the edges of garden beds; l. Detail the various paving materials used throughout the site for driveways, pedestrian pathways, parking areas and private open space areas. 3. The landscape plan for the development shall recognise private open space areas as 'outdoor rooms' and the design shall incorporate: a. Paved areas or decks for outdoor dining/relaxation; b. Garden areas to reduce the 'hard' visual impact of fencing, paving and walls; c. Built-in seating (optional) – refer to example courtyard area at Diagram 19. d. The inclusion of trees of a scale which will provide adequate shade (deciduous may be appropriate depending on orientation of POS); e. Provision of drying areas and garbage storage areas and the screening of these areas with vegetation and/or structural elements such as timber panels; f. Water features (optional); g. Full details of materials for fencing, paving etc.		

General requirements	Assessment	Compliance
4. Residential developments that make the most positive contribution to streetscapes and the urban environment and provide higher levels of amenity and enjoyment for residents are those which have a sound maintenance regime for landscaped areas – both private open space and communal areas. 5. The landscape design for a development should integrate with the stormwater management scheme, having regard to relevant 'water sensitive urban design' (WSUD) principles.		
14. Fencing and Walls		
1. The landscape plan prepared for the development shall incorporate full details of all fencing proposed including: • location • height • materials • colours. 2. For all forms of residential development, with the exception of a single dwelling-house, sheet metal fencing shall not be permitted where it forms a boundary with a street, or communal area within a development. 3. Fencing between dwellings shall be designed to provide visual and acoustic privacy to internal rooms and outdoor private open space. The recommended height for these dividing fences is 1800mm high but not less than 1500mm high. 4. For all residential development where sheet metal fencing is used it should be of mid to dark earthy colour to make the fence visually recessive. 5. Fencing within the street building line setback shall not be located closer than 900mm from the street property boundary	1. The detailed landscape plan includes details of perimeter fencing, including location, height, materials and colours. 2. The proposed perimeter fencing has been designed with regard to points 2 – 9, however it is acknowledged that the design does not comply with a number of requirements insofar as the principal street frontage of the proposed development will be enclosed by a 1.8m high fence and 1.8m high security gate. While the proposed fence does not strictly comply with the requirements of the DCP, it is integral part of the safe and effective operation of the proposed development and it is requested that Council accept the proposed design as a variation to the DCP.	✓

General requirements	Assessment	Compliance
for the principal street frontage of the development (refer Figure 22). 6. Where side boundary fencing projects forward of the street building line setback to the principal frontage then the maximum height of the fence shall not exceed 750mm within the building line setback area. (Note: This requirement does not apply where the development qualifies to use the building line setback for private open space – refer Sec B9.9(h)). 7. Front fencing for the purposes of containing a dwelling's principal private open space area, shall not occupy more than 50% of the street frontage of an allotment and shall not contain or obscure the principal pedestrian entry point to the dwelling from the street. Fencing may occupy greater than 50% of a site frontage if it can be demonstrated that the increased length of fencing is consistent with the established fencing within the street and character of the street, or because of environmental impact considerations, eg. noise. 8. Solid fencing for the purposes of containing a dwelling's principal private open space area, shall not exceed a height of 1500mm where located within the street building line setback unless it can be demonstrated that a higher fence is appropriate having regard to issues of noise, privacy, existing streetscape and architectural merit. 9. Nothing in this plan prevents the fencing of the street frontage of a property subject to the following: • The building line setback area is not required for the purposes of principal open space; • The fence shall not exceed a height of 1200mm (1.2 metres); • The fence shall not comprise sheet metal material;		

General requirements	Assessment	Compliance
• The fence shall be of a design/materials which integrate with the dwelling(s) located on the land.		
15. Driveway Access and Carparking		
1. Driveways shall be located no closer than 900mm from any side boundary for the full depth of the building line. This 900mm offset shall be provided with landscaping of suitable scale to ensure that sight lines along the public footpath and the roadway are not obstructed. 2. Driveways within the site should be a minimum of 2.7 metres wide and should include landscaping between the driveway and dwelling. (Note: In heritage conservation areas strip driveways may be a more suitable alternative – refer to Part E.3: Heritage Conservation Areas). 3. Landscaping shall be incorporated into the design of driveway and manoeuvring areas to minimise the expanse of hard surfaces and adverse visual impacts on the streetscape. 4. Straight 'gun barrel' driveway arrangements are not supported. Where long driveways are proposed landscaping of minimum width 1.0 metres shall be provided along the boundary/fenceline incorporating wider landscape 'blisters' to create a 'meandering' effect and contrasting pavement treatments should be used to reduce the expanse of a single pavement material. Landscaping shall also be provided between the driveway and the external wall of the dwelling 5. Driveways within a site shall be at a maximum grade of 4:1 (H:V). 6. Driveway design from the road pavement across the public footpath area shall be in accordance with Council's "Manual of Engineering Standards" and appropriate structural drawings.	1. The proposed driveway is setback minimum 3 metres from the side boundary. 2. The proposed driveway meets the minimum width requirement. 3. As shown in the detailed landscape plan, landscaping has been incorporated to minimise the extent of hard surfaces and soften the visual impact of the driveway on the streetscape. 4. The proposed driveway is not of straight gun barrel design. 5. The proposed driveway has been designed by an engineer based on Council advice. Design details are provided on the accompanying engineering plans. 6. The proposed driveway has been designed by an engineer based on Council advice. Design details are provided on the accompanying engineering plans. 7. The proposed driveway is considered to be the appropriate width for the proposed development. 8. The proposed driveway across the street is designed to avoid street trees, kerb inlet pits and other services such as light/power poles. 9. It is understood that adequate manoeuvring area to Australian standard AS 2890 is provided to enable vehicles to enter and exit the site in a forward direction. 10. The proposed vehicle driveway and pedestrian access are adjoining. Notwithstanding it is considered that the pedestrian access will be appropriately distinguished from the driveway and will not cause a conflict between vehicles and pedestrians. 11. The site is not identified as bushfire prone.	✓

General requirements	Assessment	Compliance
7. Driveways across the footway at the access point on the road reserve should be generally a maximum of 5 metres wide, although variation may be justified on turning and traffic safety issues. 8. Driveways across the footway shall be sited to avoid street trees, kerb inlet pits and other services such as light/power poles. 9. For developments other than single dwellings adequate vehicle manoeuvring area to Australian Standard AS 2890 shall be provided to enable vehicles to enter and exit the site in a forward direction. 10. For developments other than single dwellings, vehicle driveways shall be clearly distinguished from pedestrian entries and paths through design, finish or location. 11. On sites identified as Bushfire Prone Land under the Bush Fire Prone Land Maps endorsed by the New South Wales Rural Fire Service, access shall comply with the requirements of the document "Planning for Bushfire Protection 2006" (Planning NSW and Rural Fire Service). 12. Vehicle car parking spaces and manoeuvring areas (not including a driveway providing direct vehicle access to a garage or carport from the street) shall not be located within the building line setback area. <u>Car Parking:</u> 13. The minimum number of off-street car spaces shall be as follows: a. One (1) space for each one or two bedroom dwelling; b. Two (2) spaces for each dwelling containing more than two bedrooms;	12. Vehicle car parking spaces and manoeuvring areas are located within the building line setback area. While this is inconsistent with the requirements of the DCP, the proposed design is considered to be an appropriate response to the opportunities and constraints to the site. Further, while the proposed car parking spaces will be located within the building setback, it is considered that the overall design, including extensive landscaping, will achieve an appropriate design response which will contribute to the existing character of Park Street. 13. The proposed development includes seven car parking spaces. The requirements for car parking is dealt with in the body of this report at **Section 5.2**. 14. As per point 13 above. 15. Visitor car parking spaces are not provided and are not considered necessary given the nature of the proposed development. 16. It is understood that the proposed car park has been designed to meet all applicable engineering requirements. 17. No garage is proposed. 18. Not applicable. 19. Not applicable. 20. Not applicable. 21. It understood that the proposed accessible car parking space has been designed to meet all relevant requirements in the context of the proposed development.	

General requirements	Assessment	Compliance
c. One (1) visitor space for the first three dwellings and one (1) space for every five dwellings thereafter or part thereof. 14. A minimum of one (1) off-street parking space should be provided for each dwelling as a covered space in the form of either a garage, carport or within a secured basement parking area. The parking space(s) should be convenient and accessible to the dwelling which it services. 15. Visitor car parking spaces should be freely accessible at all times and not located behind security gates or within secured basement car parking areas. 16. The minimum dimensions for car parking bays and aisles shall be in accordance with Figure 24. 17. Garages should comprise minimum dimensions in accordance with Figure 25. 18. Developments comprising up to two (2) dwellings may have the parking space(s) for both dwellings directly addressing and accessible from its street frontage. 19. Developments comprising three (3) or more dwellings may have one (1) dwelling only with a garage/carport directly addressing and accessible from its street frontage of the development. 20. Tandem (or stack) parking is permissible only where the garage for the dwelling has a direct frontage/address to a street. In this instance, the vehicle space on the driveway in front of the garage/carport can be calculated as part of the parking requirement for that dwelling but shall not be counted as a 'visitor' space. <u>Accessible Car Parking (disabled users):</u> 21. Designated accessible car parking facilities shall:		

General requirements	Assessment	Compliance
a. Be provided at the rate of one (1) accessible parking space for every adaptable dwelling; b. b. Be located as close as possible to the adaptable or accessible dwelling they are intended to serve or alternatively as close as possible to each accessible public entrance; c. c. Be linked to an accessible entrance to a building or to a wheelchair accessible lift by a continuous accessible path of travel, and preferably under cover; d. d. Have a minimum width of 3.8 metres as shown in Figure 26. An overlap allowance of 500mm may apply when, parallel to the parking space, there is an adjoining walkway or similar surface which: – Is at the same level as the car parking space; – Is firm and level, with a fall not exceeding 1 in 40 in any direction; – Is not another car parking space; – Is not less than 1000mm in width. e. e. Have a minimum vertical clearance of not less than 2500mm and a minimum length of 5.5 metres as shown in Figure 26; f. f. Both the designated parking space and the continuous accessible path of travel shall be clearly signposted; g. g. The signage for the actual parking space shall be painted on the surface of the paved space and signposted at a height of not less than 1500mm centrally located at the end of the space; h. The provision of accessible parking shall be signposted at the entrance of the car park.		

General requirements	Assessment	Compliance
16. Views, and Visual and Acoustic Privacy		
1. Overlooking of private open space and direct views between living area windows shall be screened or obscured using one or more of the following methods (as shown in Figures 27 and 28): a. Separation distance between windows of habitable rooms or balconies b. Separation by design c. Offset living room windows of opposing dwellings/units d. Splay windows to redirect sight lines e. Build to a boundary and avoid window openings f. Screen planting between units g. Fencing design or privacy screens h. Use of fin walls i. Planter boxes j. Louvre screens (vertical or horizontal) k. Pergola l. Change in level Acoustic 2. Where no design techniques and screening (eg fences or walls) are proposed, openings of adjacent dwellings shall be separated by a distance of at least 3.0m. 3. Site layout shall separate active recreational areas, shared parking areas and driveways, and service equipment areas away from bedroom areas of dwellings. 4. Mechanical plant or equipment (eg. Air conditioning units) shall be designed and located to minimise noise nuisance.	1. Given that the proposed development is substantially at ground level, the opportunity for overlooking private space and direct views between living area windows is minimal. Where potential for overlooking occur at the upper level, private open spaces have been offset and will be partially screened by existing and proposed landscaping. 2. Opposing dwellings are separated by the distance of at least 3.03 metres. 3. The proposed development has been designed to minimise potential impacts on bedroom areas. 4. Detailed design of mechanical plant or equipment (eg. Air conditioning units) will seek to locate services appropriately to minimise noise nuisance. 5. Detailed design of shared walls and floors between living quarters will seek to minimise noise nuisance.	✓

General requirements	Assessment	Compliance
5. Shared walls and floors between dwellings shall be constructed to reduce noise transmission in accordance with the Building Code of Australia.		
17. Water and Energy Conservation		
1. It is recommended that buildings be orientated with the main indoor and outdoor living spaces towards the north and north-east (the optimum orientation for indoor and outdoor living spaces are shown in Figure 20). 2. To the fullest extent possible, buildings should be insulated. 3. Buildings should include adequate thermal mass and windows located, sized and shaded to facilitate thermal performance. 4. Windows in west facing walls should be avoided. However, where not possible, west facing walls should be designed with windows fitted with appropriate shade structures and/or landscape screens. 5. Building design should, wherever possible, include a north facing roof upon which a solar hot water system or collector could be installed. The building's internal plumbing should be designed to facilitate the installation of such a system. 6. The design of the building should maximise the cooling potential of natural ventilation by providing breeze pathways through the building (refer Figure 32). 7. Shadow diagrams may be required for residential developments of two storeys and over in urban zones if, in the opinion of the assessing officer, they are required and for all residential developments comprising two (2) or more dwellings where ground level private open space is located in other than an "optimum" or "good" location as shown in Figure 20. The shadow diagram shall address the overshadowing impact of	1. The proposed development has been designed with regard to the objectives of Points 1- 9 to ensure adequate thermal performance and minimal overshadowing of private open space areas of adjoining development and within the development site.	✓

General requirements	Assessment	Compliance
new development and also the impact from adjoining development against the criteria provided under .8 below. 8. Development within the categories specified under 17.7 above shall ensure that adequate solar access is provided to both existing development adjoining the project site as well as to the dwellings and their associated outdoor open spaces within the new development itself. In this regard: a. Development shall not reduce the sunlight available to windows of living areas that face north to less than 3 consecutive hours between 9.00am and 3.00pm on the Winter Solstice (June 21); b. At least 50% of the principal area of ground level private open space shall achieve not less than 3 hours sunlight between 9.00am and 3.00pm on the Winter Solstice (June 21). Where existing overshadowing by buildings and fences is greater than this, sunlight should not be reduced by more than 20%; c. At least 50% of the principal area of above ground level private open space shall achieve not less than 3 hours sunlight between 9.00am and 3.00pm on the Winter Solstice (June 21). Where existing overshadowing by buildings and fences is greater than this, sunlight should not be reduced by more than 20%; d. At least 50% of the area of communal private open space shall achieve not less than 3 hours sunlight between 9.00am and 3.00pm on the Winter Solstice (June 21). Where existing overshadowing by buildings and fences is greater than this, sunlight should not be reduced by more than 20%.		
18. Stormwater Management		

General requirements	Assessment	Compliance
1. Due to downstream flooding/capacity issues and for developments other than single dwellings, on-site detention of stormwater is required in accordance with Council's Manual of Engineering Standards, to restrict the discharge rate of stormwater runoff. The methods may include tanks (either underground or aboveground) or surface storage areas such as driveways or landscape depressions. The amount of storage volume required is subject to detailed calculation but may be estimated at 9 cubic metres per 1000sqm of site area. 2. A detailed erosion and sediment control plan (ESCP) should be submitted with the development application. The ESCP should be prepared in accordance with the requirements of Council's Manual of Engineering Standards. 3. Ultimate discharge for collected stormwater runoff should be to a street drainage system, to an interallotment drainage line, or by approval to a public area. The system should be gravity-drained. Pumping of stormwater is not permitted. 4. The development site must be provided with an overland flowpath for the major storm event (1% AEP). 5. Stormwater storage tanks with a capacity in excess of that required to meet BASIX criteria may be installed to provide for on-site stormwater detention. Council's Manual of Engineering Standards provides details for calculations and 'BASIX' relationships. These tanks, unless provided underground, must not be located within an area of principal open space. The area occupied by the tank must not be included for the purposes of calculating the required private open space at ground level for each unit.	1. Stormwater management design has been designed by an engineer based on advice from Council. Detailed stormwater management design is provided in the engineering plans that accompany the Development Application. The stormwater management design has been designed with regard to Points 1 – 6.	✓

General requirements	Assessment	Compliance
6. As a minimum requirement, a stormwater drainage "concept plan" shall be submitted with the development application. The plan should include: a. the pipeline/pit layout b. water storage means/area c. indicative levels at critical design points d. overland flowpaths including details of the means of capturing runoff from all impervious surfaces		
19. Security, Site Facilities and Services		
1. Individual mail boxes shall be located close to each ground floor dwelling entry, or a mail box structure located close to the major pedestrian entry to the site complying with the requirements of Australia Post. 2. Open air clothes drying areas shall be provided for each dwelling with an aspect ranging between direct east to direct west (via north). The drying areas shall be located and/or screened such that they will not be visible from a street or public place. Each drying area shall comprise a minimum of 15.0 lineal metres of hanging line 3. All services – reticulated water, sewerage, electricity and telecommunications (and natural gas where available) shall be installed to meet the requirements of the relevant service provider. For developments proposing ten (10) or more dwellings a detailed 'Crime Prevention Through Environmental Design' assessment shall be prepared by an accredited person and submitted with the development application. 4. Buildings adjacent to a public or communal space shall be designed to maximise natural surveillance, having at least one (1) habitable room window per dwelling facing that area.	1. The proposed development has been designed with regard to the requirements of Points 1 – 13, where relevant. Where not demonstrated on the Project Drawings, minor design requirements (e.g. the location of mail boxes), can be addressed via conditions of consent.	✓

General requirements	Assessment	Compliance
5. Low intensity lighting (eg. bollard lighting) shall be provided to all shared pedestrian paths, parking areas and building entries. 6. Garbage or recycling areas, mail boxes and external storage facilities shall be sited and designed for functionality, attractive visual appearance and efficient and convenient use. 7. Where agreed to by public utility service providers, services shall be co- ordinated in common trenching in order to minimise construction costs for underground services. 8. Each dwelling shall be provided with direct and convenient pedestrian access to a public road. 9. Where there is no direct pedestrian access from a dwelling's private outdoor open space area to the public roadway then the development shall be provided with a common garbage storage area readily accessible from within the site and serviceable from the adjoining road. 10. The garbage storage area shall be designed so as to conceal its contents from view of the adjacent public space and/or other properties. It shall be provided with a water tap for wash down purposes and drained to connect to the sewer. 11. Individual mail boxes shall be located close to each ground floor dwelling entry, or a mail box structure located close to the major pedestrian entry to the site complying with the requirements of Australia Post. 12. Open air clothes drying areas shall be provided for each dwelling with an aspect ranging between direct east to direct west (via north). The drying areas shall be located and/or screened such that they will not be visible from a street or public place. Each drying area shall comprise a minimum of 15.0 lineal metres of hanging line		

General requirements	Assessment	Compliance
13. All services – reticulated water, sewerage, electricity and telecommunications (and natural gas where available) shall be installed to meet the requirements of the relevant service provider.		
Environmental Guidelines		
Domestic Stormwater		
1. Retention capacity. For each new dwelling development, the storm water retention capacity is to be in accordance with the BASIX requirements in regard to the designated roof area to be employed for catchment. This means the required roof area catchment shall be adequately served by sufficient downpipes directing flows to the tank and equally sufficient discharge via overflow lines. **2. Location of feed lines**. All feed storm water lines shall be of 100mm sewer grade PVC. The PVC pipes and components shall be handled and joined in accordance with AS/NZS 2032:2006. Storm water lines shall be located away from the foundation/s of the building/s. Storm water lines shall have a minimum of 300mm ground cover. The configuration of the charged stormwater line to rainwater tanks shall be such that the initial flow into the line is directed to the lowest flush point, (refer figs 1 & 3). Charged stormwater lines shall be laid so that a flush point is provided at finished ground level at the lowest point of the charged line. This flush point is required in addition to any first flush provided in the lines directed to the tank. The purpose of the flush point is to enable simple access to the charged line by the property owner to facilitate periodic draining of the charged line so as to avoid accumulative contamination of the charged line/s. Ideally the flush point should be located where discharge can	1. Stormwater is addressed under 18. Stormwater, above.	✓

General requirements	Assessment	Compliance
disperse onto grassed area, gardens or rubble pit. The flush point is to be provided with permanent signage to indicate the purpose of the flush point (refer fig 1). **3. Rain water tanks**. On-site rainwater tanks shall be constructed of an approved material. Preference should orientate toward lighter colours for the exterior of the tank where the tank is located above ground. All exposed PVC stormwater lines shall be painted with a U.V resistant paint. The tank shall be located so as not to compromise fire separation of buildings or access to the exterior of buildings. **Sub surface detention systems are not acceptable as a method of rainwater storage for the purpose of non-potable domestic use. This means on site storm water detention systems are not to be used for the purpose of BASIX compliance unless the installation of the underground detention is specifically designed as on-site detention and subsequently approved by Council.** Above ground tank installation should be the preferred method of rainwater storage and shall be provided with an adequate reinforced concrete slab for support or a base in accordance with the tank manufacturer's recommendation. Piering below the slab may be required and will depend upon site conditions. The tank manufacturer's recommendations are to be followed where a substrate material is required between the underside of the tank and the concrete slab. Bases for supporting tanks shall provide adequate provision to disperse water away from the building and avoid accumulated moisture build up around the tank area.		

General requirements	Assessment	Compliance
Underground tank installation is not acceptable where sufficient fall from the tank overflow to the street or inter-allotment drainage (IAD) infrastructure is not achievable. The minimum gradient (fall) from the tank overflow to the discharge point shall be 1:100 measured at the invert at the (underground) tank overflow and the invert of the discharge point. The overflow from (above ground) tanks shall achieve the same fall of 1:100. Where overflow lines serve underground tanks, backflow prevention devices are to be provided within the overflow line to deny the re- entry of flood water and vermin. (Refer fig 7). **4. Configuration of stormwater lines**. Stormwater lines shall be laid in a configuration that directs the initial flow to the lowest discharge point. All lines shall be laid with fall to the lowest (flush) point. Stormwater lines laid that are not level or with fall to the flush point will not be acceptable (refer fig 5). The overflow line should be of sufficient capacity to permit discharge without overflow from the tank itself occurring. Stormwater management plans shall be prepared by the applicant to be lodged with the Development Application. The stormwater management plan shall consist of the following: (i) RL's of the kerb, tank location and flush point. (ii) A site plan depicting the proposed location of the stormwater lines, the location of the flush point and the proposed location of the rainwater tank. The rainwater tank will be clearly marked as in-ground, above ground, or erected on a tank stand. The tank location should also indicate the proposed location of the weather-proof GPO (general power outlet) and pump.		

General requirements	Assessment	Compliance
5. Stormwater lines over Council's nature strip. Stormwater lines laid across the Council nature strip shall be 100mm sewer grade PVC and achieve 300mm cover where possible. Where the line approaches the kerb, a 15o fitting shall be provided to enable the line to maintain the required coverage and angle up towards the kerb outlet fitting. The kerb outlet fitting shall be a pre-cast alloy or aluminium fitting with the rear (footpath side) of the fitting adequately concreted around the connection. (Refer fig 6). The kerb fitting should be either cut as low into the kerb as possible to provide maximum concrete cover, or neatly flush with the top of the kerb with no concrete cover. **6. Stormwater generated from hardstand areas.** Stormwater that is generated from overland flow and hardstand areas such as driveways, shall be directed to the tank overflow line to discharge to the street, rubble drain or IAD pit as applicable. This stormwater drainage is acceptable in 90mm PVC but must not inter-connect with any line directed to the rainwater storage. This means that any overland flows intercepted by grates, spoon drains and the like must discharge directly through overflow lines and not be permitted to enter the tank storage. It is recommended that this line be independent of all stormwater lines interconnected to the tank feed/discharge. **7. Mosquitoes**. Adequate provision shall be made to ensure all stored rainwater in charged lines and the tank/s is protected from mosquito infestation and subsequent breeding.		
Waste Not – Site waste minimization & management		
1. Submission/Application requirements		
1.1 Documentation to be submitted All applications relating to residential developments, as well as commercial and industrial premises are to include a Site Waste	1.1 – 1.2 A Site Waste Minimisation and Management Plan (SWMMP) would be developed subject to the approval of the proposed development.	✓

General requirements	Assessment	Compliance
Minimisation and Management Plan (SWMMP) as part of documentation submitted to Council. The development plans should also clearly indicate the location of waste management facilities, including recycling bins and the like. a. Site Waste Minimisation and Management Plans (SWMMP) A SWMMP outlines measures to minimise and manage waste generated during demolition and construction processes, as well as the ongoing use of the site. The SWMMP is to nominate the following: – The volume and type of waste and recyclables to be generated. – The storage and treatment of waste and recyclables on site. – The disposal of residual waste and recyclables. – The operational procedures for ongoing waste management once the development is completed, including the nominated waste management service provider. b. Submission of a SWMMP A SWMMP is to be submitted for all types of development listed within this policy. Council's document titled 'Site Waste Management and Minimisation Plan' Standard Form provides the necessary information and examples of SWMPs. More detailed SWMMPs are required for projects of a larger scale, with additional supporting information required. The SWMMP is to be submitted with the documentation relating to Development Applications, in order to be considered in the assessment under Section 4.15 of the Act.	This could be achieved via a condition of consent requiring that the SWMMP be prepared to the Satisfaction of Council prior to the issue of a Construction Certificate. 1.3 Not applicable.	

General requirements	Assessment	Compliance
1.2 Implementing the SWMMP When implementing the SWMMP, the applicant must ensure: – Roads, footpaths, public reserves and street gutters are not used as places to store demolition waste or materials of any kind. – Any material moved offsite is transported in accordance with the requirements of the Protection of the Environment Operations Act 1997 and relevant Regulations. – Waste is only transported to a place that can lawfully be used as a waste facility, and by contractors who are aware of the legal requirements of the disposal of waste. – Generation, storage, treatment and disposal of hazardous, offensive or special waste (including asbestos) is conducted in accordance with relevant waste legislation and relevant agencies. – Evidence such as weighbridge dockets and invoices for waste disposal or recycling services is retained. – Evidence of compliance with any specific industrial waste laws and protocols, such as the Protection of the Environment Operations Act 1997 and relevant Regulations. – aterials which are to be disposed of and those which are to be reused/ recycled are to be separated through the demolition and construction process. – Materials that have existing reuse or recycling markets should not be disposed of in landfill when possible. 1.3 Waste/Recycling Generation Rates The following waste generation rates shall apply:		

General requirements	Assessment	Compliance
<table><tr><th>Type of Premise</th><th>Waste Generation</th><th>Recycling Generation</th></tr><tr><td>Backpackers accommodation</td><td>40L/occupant/week</td><td>20 litres/occupant/week</td></tr><tr><td>Boarding house, Guest house</td><td>60L/occupant/week</td><td>20 litres/occupant/week</td></tr><tr><td>Food Premises</td><td></td><td></td></tr><tr><td>Butcher</td><td>80L/100m² floor area/day</td><td>Discretionary</td></tr><tr><td>Delicatessen</td><td>80L/100m² floor area/day</td><td>Discretionary</td></tr><tr><td>Fish Shop</td><td>80L/100m² floor area/day</td><td>Discretionary</td></tr><tr><td>Greengrocer</td><td>240L/100m² floor area/day</td><td>120/100m² floor area/day</td></tr><tr><td>Restaurant</td><td>10L/1.5m² floor area/day</td><td>2L/1.5m² floor area/day</td></tr><tr><td>Supermarket</td><td>240L/100m² floor area/day</td><td>240 L/100m² floor area/day</td></tr><tr><td>Takeaway</td><td>80L/100m² floor area/day</td><td>Discretionary</td></tr><tr><td>Hairdressers, Beauty Salon</td><td>60L/100m² floor area/week</td><td>Discretionary</td></tr><tr><td>Hotel</td><td>5L/bed/day 50L/100m²/bar area/day 10L/1.5m²/of dining area/day</td><td>50L / 100m² floor area / bar & dining areas / day</td></tr><tr><td>Offices</td><td>10L / 100m² floor area / day</td><td>10L / 100m² floor area / day</td></tr><tr><td>Retail (other than food sales)</td><td></td><td></td></tr><tr><td>Shop < 100m² floor area</td><td>50L/100m² floor area/day</td><td>25L/100m² floor area/day</td></tr><tr><td>Shop > 100m² floor area</td><td>50L/100m² floor area/day</td><td>50L/100m² floor area/day</td></tr><tr><td>Showrooms</td><td>40L/100m² floor area/day</td><td>10L/100m² floor area/day</td></tr></table>		
2. Site preparation phase		
2.1 Demolition of Buildings or Structures a. An area shall be allocated for the storage of materials for use, recycling and disposal, giving consideration to slope, drainage, location of waterways, stormwater outlets, vegetation and access and handling requirements. b. Waste and recycling materials are to be separated. c. Measures are to be implemented to prevent damage, minimise health and order risks, and windborne litter.	2.1 As noted above, a Site Waste Minimisation and Management Plan (SWMMP) would be developed subject to the approval of the proposed development.	✓
3. Construction phase		

General requirements	Assessment	Compliance
3.1 Construction of Buildings or Structures a. An area shall be allocated for the storage of materials for use, recycling and disposal, giving consideration to slope, drainage, location of waterways, stormwater outlets, vegetation and access and handling requirements. Signage is to be incorporated into this area in order for the clear definition of the space. b. Waste and recycling materials are to be separated. Signage shall clearly indicate which bins or disposal units are for waste and those for recycling. c. Measures are to be implemented to prevent health and odour risks, and windborne litter. d. The use of prefabricated components and recycled materials should be considered when possible.	3.1 As noted above, a Site Waste Minimisation and Management Plan (SWMMP) would be developed subject to the approval of the proposed development.	✓
4. Operational phase		
4.1 Residential Development a) Single dwellings, alterations and/or additions, ancillary structures a. The location of the waste and recycling areas is to not create any adverse impact on neighbouring properties in terms of appearance, odour, noise or the like. b) Dual Occupancy and Multi Dwelling Housing – Individual Storage Areas a. The location of the waste and recycling areas is to not create any adverse impact on neighbouring properties in terms of appearance, odour, noise or the like. b. Details of individual bin storage and servicing/collection locations are to be provided	4.1 The location of bin storage and servicing areas is shown on the Project Drawings. It is considered that the proposed locations have been suitably designed so as to minimise adverse impacts on residents of the proposed development and the adjoining properties.	✓

General requirements	Assessment	Compliance
c) Dual Occupancy, Multi Dwelling Housing and Residential Flat Buildings – Communal Storage Areas a. The waste area should provide separate containers for the separation of general waste from recyclables. b. There is to be reasonable level of access to waste and recycling area/s or room/s for people including people with a disability c. The location of any garbage chute(s) d. Communal storage area/s or room/s is to be provided on common property in order to allow for the management of the area by the body corporate. e. Consideration shall be given to the incorporation of a bulky waste storage area within the communal storage area/s or room/s. f. Servicing plan including frequency and servicing location is to be provided 4.2 Commercial Developments and Change of Use a. The waste area should provide separate containers for the separation of general waste from recyclables. b. If Council is not the provided waste contractor, then a valid contract with a licensed waste facility is to be kept by the premises or the body corporate managing the site for the collection of waste and recyclables. 4.3 Industrial Development a. The waste area should provide separate containers for the separation of general waste from recyclables. b. If Council is not the provided waste contractor, then a valid contract with a licensed waste facility is to be kept by the		

General requirements	Assessment	Compliance
premises or the body corporate managing the site for the collection of waste and recyclables.		


Premise